

PLANNING APPLICATIONS

The attached list of planning applications is to be considered at the meeting of the Planning Committee at the Civic Centre, Stone Cross, Northallerton on Thursday 26 April 2012. The meeting will commence at 1.30pm.

Further information on possible timings can be obtained from the Committee Officer, Jane Hindhaugh, by telephoning Northallerton (01609) 767016 before 9.00 am on the day of the meeting.

The background papers for each application may be inspected during office hours at the Civic Centre by making an appointment with the Head of Regulatory Services. Background papers include the application form with relevant certificates and plans, correspondence from the applicant, statutory bodies, other interested parties and any other relevant documents.

Members are asked to note that the criteria for site visits is set out overleaf.

Following consideration by the Committee, and without further reference to the Committee, the Head of Regulatory Services has delegated authority to add, delete or amend conditions to be attached to planning permissions and also add, delete or amend reasons for refusal of planning permission.

Maurice Cann
Head of Regulatory Services

SITE VISIT CRITERIA

1. The application under consideration raises specific issues in relation to matters such as scale, design, location, access or setting which can only be fully understood from the site itself.
2. The application raises an important point of planning principle which has wider implications beyond the site itself and as a result would lead to the establishment of an approach which would be applied to other applications.
3. The application involves judgements about the applicability of approved or developing policies of the Council, particularly where those policies could be balanced against other material planning considerations which may have a greater weight.
4. The application has attracted significant public interest and a visit would provide an opportunity for the Committee to demonstrate that the application has received a full and comprehensive evaluation prior to its determination.
5. There should be a majority of Members insufficiently familiar with the site to enable a decision to be made at the meeting.
6. Site visits will usually be selected following a report to the Planning Committee. Additional visits may be included prior to the consideration of a Committee report when a Member or Officer considers that criteria nos 1 - 4 above apply and an early visit would be in the interests of the efficiency of the development control service. Such additional site visits will be agreed for inclusion in consultation with the Chairman or Vice-Chairman of the Planning Committee.

PLANNING COMMITTEE

26 APRIL 2012

Item No	Application Ref/ Officer	Proposal/Site Description
1	11/01666/FUL Mrs B Robinson	Demolition of existing industrial units and construction of 4 no B1 and B8 units, access road and associated car parking as additional details received by Hambleton District Council on 24 February 2012. at The Depot Rear Of 38 - 46 Water End Brompton North Yorkshire for Mr N Mitchinson. RECOMMENDATION: REFUSED
2	11/02736/FUL Mrs H M Laws	Construction of an agricultural building for the storage and housing of a grain dryer as amended by plans received by Hambleton District Council on 12 April 2012. at Rose Cottage Crayke North Yorkshire YO61 4TJ for Mr R Dawson. RECOMMENDATION: GRANTED
3	12/00316/FUL Mrs B Robinson	Change of use of disused former chapel and reading room to an affordable residential dwelling and laying out of car park for use by visitors to Kewick. at The Old Chapel Kewick North Yorkshire YO7 2JW for Kewick Estate. RECOMMENDATION: GRANTED
4	12/00212/FUL Mr I Nesbit	Demolition of existing bungalow and construction of a replacement dwelling. at Crossways Middleton Road Hutton Rudby North Yorkshire for Mr Karl G Finch. RECOMMENDATION: REFUSED
5	11/00054/FUL Mr J Saddington	Revised application for the construction of 14 houses with associated access and parking. at Rear Of The Old Mill Levenside Stokesley North Yorkshire for Kebbell Developments. RECOMMENDATION: GRANTED
6	11/01300/OUT Mr J Saddington	Outline application for the construction of up to 213 dwellings, employment use (class B1) up to 2,900 sqm including means of access. at White House Farm Stokesley Middlesbrough TS9 5LE for Northumbria Land Limited. RECOMMENDATION: REFUSED

<p style="text-align: center;">7</p>	<p>12/00136/OUT Mrs H M Laws</p>	<p>Outline application for the construction of a dwelling. at Rutland House 4 The Gowans Sutton On The Forest North Yorkshire for Mr P Gripton.</p> <p>RECOMMENDATION: GRANTED</p>
<p style="text-align: center;">8</p>	<p>12/00296/LBC Mrs H M Laws</p>	<p>Application for Listed Building Consent for alterations to window to form a door. at Vale View Cottage Thirkleby Hall Thirkleby Park Thirkleby for Mr R Connell.</p> <p>RECOMMENDATION: REFUSED</p>

1.

11/01666/FUL

**Demolition of existing industrial units and construction of 4 no B1 and B8 units, access road and associated car parking as additional details received by Hambleton District Council on 24 February 2012.
at The Depot Rear Of 38 - 46 Water End Brompton North Yorkshire
for Mr N Mitchinson.**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site is a long plot extending from beyond the rear gardens of properties at Water End, through to the main A684. There is an existing vehicular access from the main road. At the north end of the plot, approximately 180 metres from the main road, there is a group of 3 brick storage buildings, with an additional small enclosure between two of them, and a rough lean-to canopy at the southern end. One building is currently in use as a warehouse for the greengrocery business operated by the applicant. The total floor area is approximately 229 sq m. In front of the buildings the land slopes gently upwards from north to south. To the north of the buildings there is a patch of rough land, 14 metres wide, and a close boarded fence approx 1.5 metres high bounding the gardens to Water End properties, nos 38 to 46. Immediately to the north of the fence are single storey outbuildings associated with the Water End properties. They are constructed of brick, with clay pantile roofs. At the south end of the site, there is a bungalow. Lynwood, immediately adjacent to the road access. The neighbouring plot to the east has stable buildings and a store. To the west the plot appears to be an orchard. There is a high hedge/trees on the boundary to the west, and a lower hedge on the east side. The site lies just outside the development limits of Brompton (which runs approximately along the line of the fence, on the north boundary).

1.2 The proposal is to replace the buildings with 4 modern buildings for B1 and/or B8 use. The buildings are conventional shed types, clad externally in Yorkshire boarding. The buildings are arranged as two attached pairs, with a slight offset between. The individual buildings are each 8 x 11 metres. The buildings are dug in at the south end to provide a single floor level. 16 car parking spaces are provided. At the entrance from the A684 the access is widened to 6 metres and 6 metre radius kerbs provided. The widening extends back at least 10 metres. A passing place is provided approximately half way along the access track.

1.3 Amended plans have been submitted indicating various internal layouts to accommodate the proposed range of uses. Further details submitted indicate that the existing greengrocery storage will continue in one of the units, and there is a (provisional) proposal for a kitchen unit manufacturer to occupy a B1 space. Amended plans also show 2 delivery/loading bays for large vehicles.

2.0 RELEVANT PLANNING HISTORY

2.1 07/02985/FUL Change of use of storage and distribution centre (B8) to office/light industrial and storage (B1 and B8) and improvement works to existing vehicular access. Granted 13.11.2007

2.2 11/01677/FUL to extend and convert the existing outbuildings at the rear of 42 - 46 Water End to a dwelling. Granted 26.01.2012 (This proposal shares an access from the A684, and has an outlook to the south.)

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Development Policies DP30 - Protecting the character and appearance of the countryside
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Core Strategy Policy CP15 - Rural Regeneration
Development Policies DP25 - Rural employment
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP43 - Flooding and floodplains
National Planning Policy Framework - published 27 March 2012
Development Policies DP2 - Securing developer contributions

4.0 CONSULTATIONS

4.1 Parish Council - Refused. Reasons: Without the creation of a slip road access which would not appear to be provided the access onto and off the main carriageway would be far too dangerous for this type of development particularly as the volume of traffic would be unknown until the units have been built. Previous planning applications in the locality have been refused on similar highway grounds. If the planning authority is minded to approve the application conditions would be required on the planning consent so as to limit the detrimental effect on nearby residents of long working hours and noise. Consequently appropriate restrictions would need to be imposed.

4.2 Neighbours and site notice – Comment that:

1. In 50 yrs there has been light use of the access track by a single user, the proposal will quadruple this and radically alter the scale of the business activity.
2. Proximity (28") of track to bedrooms. Intrusive noise from increased traffic and potential for damage to foundations, unless weight restrictions imposed.
3. Harm to value of property.
4. Loss of privacy to bedroom from turning traffic
5. Access is onto busy A road with 60mph limit frequently exceeded and a bend concealing approaching cars. Existing visitors already park elsewhere due to difficulty and danger of getting out into the road.

4.3 NYCC Highways

26.9.2011: (following amendments to improve access and provide passing place) - Conditions requested.

19.3.2012: Following further discussion and submission of swept path analysis of large vehicle movements in and out of the site:

i) Concerns that movements require vehicles to cross the centre line, leave little margin for error, and require vehicles to carry out the turns at very low speed, on a busy high speed road and there is therefore concern in relation to highway safety in the area.

ii) However, weight is also given to previous approval for change of use to which no objection was raised. Although there are concerns in relation to turning manoeuvres of larger vehicles it is considered that a highways objection could not be realistically sustained at an appeal.

4.4 Yorkshire Water - conditions requested.

4.5 River Wiske Internal Drainage Board - Comment:- The site lies within the River Wiske Internal Drainage District. There is no information on the sustainable drainage system which the developer proposes. There is no indication on whether the development increases the paved area and if so how the sustainable system will accommodate any increase in run-off.

The River Wiske IDB Byelaw No 3 precludes any increase in discharge into the drainage district without Consent of the Board.

5.0 OBSERVATIONS

5.1 The site lies outside development limits, where as an exception to CP1 and CP2, under policies CP15 and DP25, development may be supported if it is

- i) small in scale,
- ii) compromises conversion or reuse or replacement or extension of existing buildings,
- iii) is not capable of location within settlement limits by reason of nature of the operation or lack of suitable sites,
- iv) is supported by an appropriate business case which demonstrates support will be provided to the local economy, and
- v) the development will not adversely impact on the economy of the service centres.

5.2 If acceptable in principle under these policies the main issues will be the design (CP17 DP32), effect on the surroundings (CP16 DP30), and amenities of neighbouring occupiers (CP1 and DP1). Additional issues to be taken into account are any necessary developer contributions for infrastructure (CP1 DP2), and highway safety.

Policy principles.

5.3 The proposal is a replacement of existing buildings and includes an increase in the footprint however it remains an essentially small scale development in accordance with criteria i)

5.4 It is a replacement of existing buildings, in accordance with criteria ii)

5.5 It is not clear from the submitted details whether alternative sites are available within the settlement of Brompton, however taking into account the existing units and their extremely close proximity to the built up part of the village, it is appropriate to accept this as a suitable location, and it considered broadly in accordance with criteria iii)

5.6 Due to their relatively small size the units are likely to attract small and local businesses that by their nature will support the local economy. An example is given by the applicant of a prospective occupier of one of the units who has a one man business as a kitchen fitter. It has also been indicated that the applicants own business will continue to operate from the new building. Brompton is a large village with well developed connections with the local town and does not have a particularly rural character, and the use for this type of business will introduce welcome employment opportunities to the village, as well as short term building opportunities during its construction, and is in accordance with criteria iv)

5.7 Due to its relatively small size the development is unlikely to affect business or employment development in the service town, in accordance with criteria v).

Summary of policy principles

5.8 Overall the principle of the development is appropriate under the terms of DP25 and does not significantly undermine the principles of CP1. In terms of CP2 the development offers employment opportunities in very close proximity to a service village, Brompton, and is within easy travel range, including by foot, bicycle and a well established bus service, of a larger population in the market town of Northallerton.

Design

5.8 With regard to other issues, the design of the building is utilitarian, which in this context is appropriate for the purpose. The main materials, a combination of brick and Yorkshire boarding to the exterior will help the building fit into to the generally natural character of the sub-domestic/semi rural surroundings, and will further soften in colour over time.

Amenity

5.9 The building is well separated from existing houses nearby, and although increased in height compared with the existing will not have an unacceptably harmful effect on outlook from there, and will not cause significant shadowing.

The building is approximately 13 metres from the nearest part of the dwelling approved under application ref 11/01677/FUL. The layout and orientation of the new house is such that daylight and sunlight to main rooms will remain at an acceptable level. Activity at the commercial site is not significantly more onerous than might be the case, say for a house located on a public road, and this concern does not by itself preclude the development. Conditions regarding boundary treatments have been imposed on the residential approval to ensure a reasonable level of privacy.

5.10 Neighbouring occupiers at the south end of the plot are potentially affected by the passage of cars into the access road. The closest house to the access has a blank gable on the side and the effect of the additional traffic passing along the access road is not likely to be so additionally harmful as to justify refusal on these grounds, especially in the context of the existing main road.

5.11 The nature of the business use proposed is such that the activities can take place without harm to residential amenities. Car traffic and general activity will have a certain effect on the local environment, but will not affect residential amenities to a level that would justify refusal on this basis.

Developer contributions

5.12 The development falls into the area eligible for contribution to the north Northallerton Link Road, and a unilateral undertaking has been prepared to comply with that measure (£2792).

Highway safety

5.13 There was an initial view, based on the existing use and the previous approval for B1 and B8 uses and improvements to the access with the A684, that there would not be objections on the grounds of highway safety.

5.14 Subsequent more detailed considerations, including the submission of swept path analysis for large vehicles entering and leaving the site, has demonstrated that certain manoeuvres would result in large vehicles crossing the centre line, and necessitate very slow movements, which would be hazardous to traffic. The Highway Authority is concerned about these movements.

5.15 Due to the size of the units, the majority of vehicles using the site are likely to be small vans or cars but there is potential for deliveries by larger vehicles, which it would be very difficult to control by condition and which give rise to the above concerns.

5.16 Whilst the Highway Authority does not feel able to recommend refusal, based on the history of the site, this is a fresh proposal that can be considered by the Local Planning Authority in its own right. There is clearly a concern about highway safety which it is the duty of the Local Planning Authority to consider. The road concerned is a fast main road and local experience, the views of the Parish Council, and the Highway Authority suggest that there is a significant highway hazard arising from this proposal, and it is therefore recommended that this application should be refused on this basis.

Public comments on other issues

5.17 Parish Council views on noise and disturbance and working hours could be addressed by condition, if the application were approved.

5.18 Concerns of the near neighbour about traffic passing close to the house are discussed in para 5.10 above. The traffic would pass close to the end wall, but in the absence of windows there is not considered to be so frequent or extremely noisy in effect as to justify refusal on this basis.

5.19 With regard to the concerns of the Drainage Board, an appropriate condition could be imposed to ensure that additional run off is accommodated by sustainable means.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The layout of the proposed access, by which larger vehicles associated with this proposal would leave and rejoin the county highway, is unsatisfactory and therefore the turning manoeuvres of larger vehicles leaving and rejoining the proposed development would be unacceptable in terms of highway safety.
2. The proposed development would give rise to additional vehicles waiting in the carriageway and leaving and rejoining the traffic stream on an open stretch of road where vehicle speeds are high, and would thus cause interference with the free flow of traffic and consequent danger to highway users.

2.

11/02736/FUL

Construction of an agricultural building for the storage and housing of a grain dryer as amended by plans received by Hambleton District Council on 12 April 2012. at Rose Cottage Crayke North Yorkshire YO61 4TJ for Mr R Dawson.

1.0 PROPOSAL & SITE DESCRIPTION

1.1 Members have had the opportunity, prior to the 29 March 2012 Planning Committee meeting, to visit the site at Rose Cottage, which lies in open countryside to the west of Crayke and north of the Easingwold Road, outside of the Howardian Hills AONB by approximately 200m. The site comprises a dwelling and several farm buildings including a newly constructed grain store and a weighbridge, both of which were granted planning permission last year.

1.2 The application was deferred at last month's meeting to allow amended plans to be submitted in respect of the proposed building and landscaping. An amended scheme has now been received and re-consultations with the Parish Council and local community have been undertaken.

1.3 The amended plans reduce the overall height of the building by approximately 1500mm, which has been achieved by lowering the roof pitch, lowering the eaves over the storage bays and reducing the size of the grain dryer proposed to be installed in the building.

1.4 The eaves height therefore has been reduced from 12m to 11m and the ridge height from 15m to 13.5m.

1.5 The proposed agricultural building lies at the northern end of the site beyond the edge of the existing farmyard. The building has a footprint of 34.5m x 18.5m and is to be finished in juniper green coloured profiled sheeting with concrete dwarf walls up to 500mm.

1.6 The position of the proposed building lies on land that is at a similar ground level to the neighbouring dwelling Rookery House. The land between the two sites is in a slight dip.

1.7 The business currently operates from Rose Cottage, which is the main base of the farm, and also from Mount Pleasant Farm, which is tenanted. The business farms a total of 475 acres, 435 of which is down to arable combinable farming. An additional area of 280 acres is to be farmed next year. The business also finishes approximately 900 hogs per year. The existing drying method involves the use of an external dryer, (for which planning permission is not required). Grain has previously been stored externally or in one of the older buildings at the farm.

1.8 It is proposed to use the building for the storage and operation of a grain dryer. The grain is brought into the building from the fields. Grain is retained within the building until transferred automatically between the bunkers and the dryer.

1.9 The nearest neighbouring dwelling, Rookery House, lies approximately 130m to the north east of the application site. The neighbour to the south at Halfway House lies approximately 160m from the position of the proposed building.

1.10 An amended landscaping scheme has been submitted, which includes a significant amount of tree planting to the east side of the proposed building and the existing grain store. Constraints to tree planting include the existence of a surface water drain to the north of the

proposed building and an overhead electricity line that lies to the east of the grain store. The proposed landscaping scheme is for shelter belts to be planted to either side of the overhead line; to three sides of the proposed grain dryer building and the provision of an acoustic earth bund immediately to the north of the grain store on which trees will be planted. The planting includes silver birch, sycamore, pedunculate oak, beech, ash and hazel. Landscaping schemes have also been approved and partly implemented in relation to the two earlier applications for the approved development last year. A plan illustrating the position of the landscaping will be available at the meeting.

1.11 A letter from the applicant's agent detailing the amendments is appended to this report.

2.0 PLANNING HISTORY

2.1 05/01254/FUL – construction of agricultural building. Permission refused 23/8/2005 for the following reason:

The proposed development is contrary to the Hambleton District Wide Local Plan Policy EM15, L11 and L14 due to the harm that would be caused to the landscape by virtue of the height and bulk of the proposed agricultural building and the lack of appropriate landscaping proposals to restore the landscape to its former condition and to appropriately screen the new building from the surrounding countryside.

2.2 08/00948/APN – application for prior notification for the construction of a storage building for keeping straw dry. No objections 14/5/2008.

2.3 10/02961/FUL – Construction of an agricultural storage building and hardstanding. Permission granted 8/3/2011

2.4 11/01483/FUL - Retrospective application for the construction of an agricultural weighbridge, associated hardstanding and control portacabin. Permission granted 8/9/2011 subject to the following condition:

The weighbridge hereby approved shall not be a Public Weighbridge, it shall only be used in connection with the farming operation undertaken at Rose Cottage and the Mount Pleasant Farm, Crayke and shall not be used in connection with any other farming activity or separate commercial enterprise without the prior written consent of the Local Planning Authority.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP15 - Rural Regeneration
- 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 DP9 - Development outside Development Limits
- Development Policies DP25 - Rural employment
- Development Policies DP30 - Protecting the character and appearance of the countryside
- Development Policies DP32 - General design

NPPF – adopted 27 March 2012

4.0 CONSULTATIONS

4.1 Parish Council – The Crayke Parish Council has reviewed the additional and professionally produced information and considers that it was useful and endorses the

Council's original decision to approve the application. The Council also hopes that it will put to rest some of the more speculative and apparently unfounded figures that have been circulated around the area.

4.2 Ward Member - I've visited Mr R Dawson on site at Rose Cottage and taken note of the site when driving in all three directions. The proposed building will sit against current group of farm buildings; colour should blend as best as possible with surrounds - as adjacent grain stores. If dryer is to be enclosed within a building then overall height will need to be greater than existing adjacent buildings for dryer access and working.

Noise from the working dryer should be at a minimum with it being enclosed; modern drying equipment; surrounding landscaping will also help to muffle. As a continuous dryer, it means that the drying of corn can be carried out in a shorter time period than it currently takes now. It doesn't mean that it will be operating 12 months of the year, as some people have feared.

Landscaping will certainly help to mitigate the bulk of the buildings group. The planned sweep of tree planting to the west in Easingwold direction will again help to mask the effect. I note that the conditioned landscaping from a previous application will become part of the whole picture.

Would concur with the comment that should traffic increase then access would need to be reviewed to and from the site to east –in Crayke direction. Most of the objections relate to a presumed increased traffic flow to and fro the building and whether the traffic relates entirely to applicant's own business/land. However, as mentioned in Mr Grinham's letter, farm vehicle movements have decreased considerably over recent years owing to the sugar beet factory closing in York and the gradual changes locally in dairy farm working etc. Admittedly surrounding roads are not wide, but this is predominantly a rural, farming area with vehicle movements to match.

The proposed dryer is solely for the applicant's business. The land that is worked, either owned or rented, is more widespread than just the Crayke parish so vehicle movements are inevitable.

Providing above is agreed, then I have no objections to this current application.

4.3 NYCC Highways – If the use of the grain dryer were to be restricted to the applicant only (i.e. no drying of grain other than that produced by the applicant) then the Highway Authority would have no objection to the proposal.

4.4 Environmental Health Officer – I have read the acoustic report DC0743 by Dragonfly acoustics. I was concerned that the levels measured during the evening background survey in the report were higher than expected, and when I checked the weather at the time of the assessment, the wind speed was over 18km/h at the time. I therefore carried out a 12 hour overnight survey on the 8th and 9th March 2012 to verify the background levels in the area. The wind speed was below 10 km/h for most of the night, and the levels recorded were below 23dB LA 90 for the quietest periods of the night, approximately 00.00 to 04.00. If 12 dB is added to the measured 23dB background level to represent the expected sound attenuation through an open window, it can be determined that a level below 35dB LA 90 at the facade of the nearest noise sensitive premises is acceptable to prevent disturbance from the proposed development.

The acoustic report calculates that the predicted noise from the equipment with 2 "2D" silencers fitted to each fan exhaust is 31.9dB which meets the above criteria, and the supplementary information provided in Kevin Grinham's letter dated 7th March 2012 does not anticipate there being any other potential night time noise sources.

I therefore recommend the following conditions are applied to any permission granted:

- Any permission granted shall specify that the grain dryer and fan units are those units specified or equivalent units as specified in acoustic report DC0743 dated February 2012 by Dragonfly Acoustics supplied for the application ref 11/02736/FUL.
- The two "2D" silencers detailed in the acoustic report shall be installed in the exhaust train for each fan before the external exhaust before the grain dryer or fans are commissioned.
- Noise levels from the building housing the grain dryer shall not exceed 35dB LA 90 over 10 minutes at 3.5 metres from the facade at the nearest noise sensitive premises.

- The grain dryer, fan units and all ancillary equipment shall be installed, operated and maintained to continue to meet the maximum sound level prescribed in the above condition. Any modifications or changes to the installed equipment shall be agreed in writing with the local planning authority before they are commissioned.

Following a comment that noise data was only collected from one property and not the other closest property the following comments are made:

- I was aware of the location of Halfway House, the reasons I based my work on Rookery House were that the proposed building which will house the proposed grain dryer will be constructed further away from Halfway House than the existing grain dryer and the exhaust fans for the proposed dryer will be directed towards Rookery House and not towards Halfway House.
- There was no need to collect sound recordings from both properties; the only measurement I required was an overnight background level which would be the same at both properties.

4.5 Howardian Hills AONB Manager – has submitted the following comments:

1. When approaching from Easingwold, views to Crayke Castle will be almost completely lost by the construction of the new building (in combination with the recently constructed grain stores). However, once past Rose Cottage (and to the road junction that forms the AONB boundary), the views of the Castle and into the AONB are uninterrupted and unaffected.

2. When viewed from the layby/seat adjacent to Crayke Castle the new building will add to the bulk of the Rose Cottage site, but it is at a lower elevation and therefore more easily mitigated by landscape planting.

3. It is important to realise that, large though this particular building would be, and rapid as the development of the Rose Cottage site has been, it is in a location (just) outside the AONB boundary and more importantly in one that is potentially better able to be integrated into the AONB landscape and adjacent area. The (albeit probably theoretical) alternative site of Mount Pleasant is located within the AONB and at a higher elevation, potentially making the impact of any new buildings more significant and landscaping harder to achieve.

4. I do not therefore wish to object to the proposal, but I do feel that more substantial landscaping is essential and that the species mix needs to be amended to create a better screen. In that respect I have noted the visual effect of the copse next to Rookery House immediately to the north of the application site, and that is the effect that needs to be replicated. Amendments needed are therefore:

- A significant increase in the width of the planting strip. I currently estimate it as 10m (which would equate to 4-5 rows of trees) - it needs to be a minimum of 20m.
- It should also extend, at that 20m width, along the north side of the new grain stores and also down the eastern side as well. This is to ensure that views of the taller building are screened from the Crayke - Easingwold road when travelling west.
- Species - I am unclear as to what is meant by 'common white birch' given that silver birch is what would normally be considered the common birch. Aside from that, all the proposed new screening belts should also include sycamore and pedunculate oak (*Quercus robur*), in order to give tall, dense-foliaged trees in the longer term.
- I believe that the approval for the storage building (10/02961/FUL) included the proposal to replant the roadside hedge to the south east of Rose Cottage (as per the plan, not the letter). This should be actioned this season (I note that the triangular shelterbelt appears to already be planted). It appears that a new hedge had been planted to the west of the yard, as well as the triangular shelterbelt. The new hedge however appears to be of *Leylandii*, in common with the existing hedge, which clearly would not be acceptable in landscape terms - native species only should be used.

4.6 Site notice/local residents – more than 60 objections have been received from immediate neighbours, residents of Crayke and residents of Easingwold. The comments are summarised as follows:

1. We have observed larger numbers of very big trucks passing, and a few near misses on the corner. The pavements near the junction are often over run and damaged. Developments of this sort should be near main trunk roads;

2. The original application for the existing 2 buildings of 3000tons capacity was on the condition that there was to be no commercial use i.e. for the use to store product produced on the farm. A weighbridge was subsequently approved. 3000 tons would equate to an acreage of approx 600 acres and the current application for a large continuous grain dryer cannot be economically viable for 3000tons even if it all came from a 600 acre farm. All the evidence must suggest that the applicant wishes to run a commercial operation;
3. The roads through Crayke, Stillington and Easingwold are congested enough without further large numbers of heavy artics trundling through the village at all hours;
4. The traffic already flowing through Crayke, especially the increasing numbers of HGV's and similar, on a daily basis is cause for concern in itself particularly when you take into account the natural topography of the village and narrowness of the roads. From the information provided in the application there is every reason to believe the traffic would increase substantially, thus having a significant negative impact on levels of noise, pollution and road safety;
5. All the roads in and out of Crayke are inadequate and were never built for this sort of traffic. Indeed the road from Easingwold is barely wide enough for two-way traffic;
6. There could be potentially hazardous road situations, noise pollution during unsociable hours and possible structural damage to historic buildings. Crayke is an historic village in a conservation area set in an area of natural outstanding beauty and it would seem very short sighted to allow a single enterprise to expand to the potential detriment of the surrounding countryside and its residents, whose lives would be adversely affected by such action;
7. the site is getting bigger and bigger and it I snow being used as a commercial site with big lorries going in and out frequently already;
8. The village playing fields are sited on the Easingwold/Crayke road, the access to the field does not enjoy good visibility and children walk to and from playing field, tennis courts and playground unaccompanied. I would not wish the children of Crayke to be endangered by competing with any increase of heavy lorries whilst enjoying the village facilities;
9. This is in addition to the already overdevelopment of Rose Cottage which is (as are other nearby properties) dwarfed by the current grain stores and has turned an Area of Outstanding Natural Beauty into a Business Park;
10. It is difficult to accept that the grain dryer proposed is for the use of this farm alone, given its size;
11. the traffic at Crayke School is already extremely dangerous, especially at peak periods. The risk to the children at the school if these lorries are passing will be enormous;
12. dryers make a noise for 24 hours a day causing noise pollution. This will affect people in the vicinity as well as the villagers in Crayke;
13. the visual aspect of the sheds has already caused an eyesore, with further additions it will ruin this aspect of Crayke, which is an AONB;
14. there is already an "accident waiting to happen" situation without articulated lorries passing through the village. The children's safety must come first;
15. This proposed application is of financial gain to only one person but long term highly damaging for the local community. If this application is approved it would not enhance the community in any way. It would not even create any new jobs;
16. concerns about the impact of an increased traffic flow on underground utilities to my property, notably the water pipes, and to the structure of the house itself. Feed lorries going through and harvesting traffic during summer already cause notable vibrations;
17. Concentration and disruption of school lessons will be greatly impacted due to noise and disruption;
18. Uppleby is quite unsuited to traffic of this nature and the creation of the proposed continuous flow grain drier at Crayke would undoubtedly greatly increase the volume of such vehicles travelling through Church Hill and Uppleby and also through the various access roads that lead into them;
19. During the building period there would be excessive heavy vehicles on a vital road that connects Easingwold to Crayke;
20. All footpaths are very narrow and there are no street lights for safety;
21. The proposed grain dryer is wholly disproportionate to the size of the farm, which, at approximately 500 acres could only be expected to produce about 1.500 tons of grain a year. I understand that the proposed dryer has a capacity of 45 tons per hour which would

fulfil the requirements of the farm in 33 hours! The only possible reason for installing such a machine is if the owners intend to import large quantities of grain from over a wide area as an industrial process which would require large numbers of large lorries delivering and removing grain from dawn to dusk six days a week;

22. Alternative sites adjacent to A19 or other major roads should be preferred;

23. there has been considerable doubt in the minds of some people as to whether or not the weighbridge recently installed at Rose Cottage can be used by members of the public. HDC's letter of the 8th. September 2011 paragraph 4 clearly states that ' the weighbridge hereby approved shall not be a Public Weighbridge'. However the enclosed document even more clearly states that this is a Public Weighbridge;

24. This proposed development when added to the existing grain stores and weighbridge, for which planning has only recently been obtained will blight the immediate area, with unsightly agricultural activity, noise, light, antisocial hours of work and environmental pollution, in an attractive area of natural beauty on the approach to Crayke. It will damage the interests of immediate neighbours, and the noise levels will have an impact on a wider range of dwellings in Crayke itself;

25. The access to Rose cottage is on a particularly dangerous corner and which the Highways Authority has already identified as dangerous with insufficient sight lines, which led them to place constraints preventing "intensification" of use in the earlier weighbridge application;

26. lack of transparency over the "ultimate" intentions of the applicant. This means that it is impossible to fully assess the impact described above without knowing the full intentions of the applicant.

4.7 7 letters of support have been received. The comments are summarised as follows:

1. This proposal will provide valuable opportunities for increases to the local economy and will provide local jobs;

2. The plan proposed provides a outstanding opportunity for both a younger and a more experienced member of this strong agricultural community to expand and increase business and bring modern farming methods to Crayke;

3. Crayke has seen a decreased level of traffic as compared to previous years. Historically the village was able to safely maintain a much higher level of agricultural traffic from the now closed businesses of dairy, sugar beet and potato crops which were necessarily folded due to changes in agricultural policies;

4. We need to encourage what is left of the farming community in Crayke to bring agricultural life into the 21st Century to prevent erosion of the whole village community;

5. The farm is taking a major step forward having bought land and built a grain store to improve profitability. This is an essential requirement for modern day farming to aid flexibility and marketing. It will create employment for local people who in turn will support local amenities such as schools and shops.

6. With the loss of farmhouses being bought as private residences and the adjoining agricultural buildings being developed as extra dwellings – this means that there is a requirement for farmers to create new agricultural buildings for the future of farming in this country;

7. this new development simply reflects a change in usage of the land in the area signifying a switch from milk and sugar beet production to wheat production;

8. there are many other businesses in the local area that result in large vehicles travelling through the village, be it other farmers, Wath quarry, local feed businesses, supermarket delivery vans and heating oil suppliers. Everybody in Crayke either directly or indirectly contributes to there being more lorries on our roads;

9. the majority of the grain harvest occurs during the summer holidays when the school is closed;

10. the UK requires a sustainable and resilient farming industry which can provide food security for our country. Attempts to limit efficiency and resilience of food production will ultimately lead to increased food prices and reliance on imported food of uncertain provenance, which is produced in ways beyond our control;

11. We must remember why our area looks so beautiful and why we all still wish to live in this area – it is thanks to our farmers who are the land keepers;

12. Wagon movement is irrelevant when you consider the daily milk tankers that have now gone – sugar beet wagons that have gone and bearing in mind the sugar beet harvest and movement took over 5 months, (this farm grew hundreds of tonnes of sugar beet which was transported out daily) harvest of corn (weather permitting) is a lot shorter time period.

4.8 Following receipt of the agricultural appraisal on behalf of the applicant further comments have been received, one of which is appended to this report. Other comments are as follows:

1. Having carefully studied the additional information submitted I accept that my earlier concerns appear to have been alleviated.
 2. The letter from J.D.Wood of Chris Clubleby & Co Ltd is most helpful in providing the further information which I had previously requested. I am now satisfied that the proposal does not plan to increase the traffic above existing levels.
 3. The Noise report by Dragonfly Acoustics is helpful and makes a good recommendation regarding soundproofing which I note that the applicant proposes to introduce.
 4. The AONB officer recommends various landscaping and screening works which will enhance the visual impact;
 5. Their assertion that heavy traffic movements will not increase from current levels if the project goes ahead makes no sense. How could the project be viable if there were not many more HGV movements? Could the applicants own land grow enough to make the dryer profitable?
 6. The farm may continue to grow beyond 1000 acres;
 7. The volume of traffic could continue to grow to say 900 wagons a year;
 8. The Committee should consider the implications of a much larger volume of traffic in the form of large wagons using the narrow roads around Crayke, Stillington and Easingwold;
 9. Is the volume of traffic likely to be compressed into a few late summer months?
 10. The existing buildings already obstructs the views of Crayke from the Easingwold approach;
 11. The issue about wagon movement is irrelevant as the corn produced on the farm will leave by wagons at some point;
 12. Installing a grain dryer will not increase traffic movement;
 13. This is an agricultural area with every farm from Crayke and beyond using wagons to deliver/collect produce all year round.
- Comments on the recently submitted amended plans are still awaited.

5.0 OBSERVATIONS

5.1 The issues to be considered include the use operating at this site; the visual impact of the development; landscaping; the effect on the amenity of local residents and highway safety.

Use of site

5.2 Concern was raised during consideration of the weighbridge application that due to the financial investment required, together with the construction of such a large grain store, the use of the site was going to be for commercial purposes over and above the farming operation undertaken at Rose Cottage and Mount Pleasant Farm. The decision was made on the basis that use beyond the needs of the farm business itself would not be acceptable in this location due to concerns of highway safety and residential amenity, therefore a condition was imposed restricting the use. It should be noted that the current application is for agricultural development and not commercial development. If permission is granted and implemented, further planning permission would be required to change the use of the building to a commercial operation should that be proposed.

5.3 There have been indications that the condition attached to the weighbridge permission has been breached and that it has been used as a public weighbridge above and beyond its use as required by the farm business but there is no evidence of this and at this time it is not felt that there is a breach of the condition relating to the weighbridge. Investigation has been undertaken to address issues such as the use of weighbridge tickets that refer specifically to 'Public Weighbridge', apparently due to initial printing when it was hoped that the

weighbridge may be for available for public use at a future date. The reference on tickets to third parties is to the parties to which the produce is sold. Produce is sold via a dealer so buyers come to collect from various locations nationwide with a variety of vehicles. Wagons are weighed 'empty'; the wagon is then loaded, either from the farmyard or from other parts of the farm. The wagon then returns to the weighbridge to be weighed 'full'. Objectors state that larger lorries are visiting the site and apparently delivering grain and the scale of use is over and above what could be expected from the farm thereby demonstrating that the site is used as a commercial operation. The applicant argues that feed for the sheep is a product that is delivered to the site, and is generally stored at Rose Cottage and then dispersed in smaller quantities to Mount Pleasant Farm.

5.4 The proposed grain dryer building is for use by the applicant in connection with his business and if used by others within the local farming community further planning permission is likely to be required. There are no objections to the provision of the facility as an expansion of the existing agricultural operation in principle and this would be in accordance with LDF Policies CP1, CP2 and CP4 and advice within the NPPF, which encourages economic growth in rural areas in order to create jobs and prosperity by promoting the development of agricultural businesses. One of the issues of concern is regarding the need for such a facility in connection with the existing farming operation at Rose Cottage and Mount Pleasant Farm due to the scale and degree of investment required. Carter Jonas assessed the comments of the objectors regarding the activities at the site and economic issues arising and concluded that "it is reasonable for a business to invest in machinery and buildings to allow it to function on a more efficient basis and it is for that business to decide if that is an acceptable investment to them. We have indicated that the size and scale of the proposed agricultural building for the housing of a grain dryer is of reasonable capacity to service the business and its anticipated growth over the immediate future."

5.5 An appraisal has been submitted on behalf of the applicant. The existing grain store has capacity for 3000 tonnes of grain. Necessary segregation of different grain and seed types results in a lower capacity and it is anticipated that, following the farming of the additional 280 acres, a total of 2500 tonnes of grain and seed will be stored in the building. The appraisal concludes that the proposed facility is entirely appropriate for a farming business of this size and type. An assessment of the appraisal has been undertaken by Carter Jonas on behalf of the Council, which agrees with its findings. The conclusion is that the proposed building is appropriate for the successful operation of the farming business.

5.6 One of the concerns of local residents is that the assessments are not based on fact and the figures do not stack up. There is agreement that the figures regarding tonnage and hours of use are correct but that it is unfeasible for such a large scale development to be used in association with a relatively small scale enterprise. The applicants argue that they are investing for the future to allow them to be prepared for expansion and on the basis of the Carter Jonas report that concludes that the proposal is reasonable for a business such as this, there are no objections to the proposed building.

Visual Impact

5.7 The NPPF requires the planning system to protect and enhance valued landscapes. The position of the building is currently undeveloped land and contributes to the attractive character of the surrounding landscape. The site lies outside the AONB.

5.8 A significant amount of development has taken place at the site in the last year, which has changed its appearance and made it more prominent in the landscape. The farm lies immediately adjacent to the road and is prominent from both directions along Easingwold Road for some distance. The site is also visible from the higher ground of Crayke Lane, approximately 1km to the east.

5.9 The weighbridge has extended the built development at the farm westwards beyond the farmyard area onto adjoining fields and the proposed grain dryer building extends the farmyard area northwards onto adjoining fields. In terms of footprint therefore the developed

part of the farm is increasing beyond its previous boundaries thereby creating a greater visual impact on the surrounding rural landscape.

5.10 The greatest impact however is with regard to the scale of the proposed building. Its dimensions are significant and the proposed height is approximately 3m higher than the existing tallest building on site (reduced from 4.5m). The height and bulk of the building therefore mean that it will be prominent over a wide area.

5.11 The applicant has researched options to reduce the height and bulk of the development including the possibility of reducing the floor level. The conclusion is that due to the proximity of the proposed building to the grain store, together with operational requirements, it would be hazardous to implement a drop in floor levels. A letter from the manufacturer expressing such concern is appended to this report.

5.12 The overall height of the building has been reduced as a result of reducing the size of the grain dryer to be housed. The grain dryer itself does not require permission but clearly it is important for the applicant to ensure that the building is capable of accommodating the desired equipment.

5.13 The building has been redesigned to reduce its visual impact on the wider landscape. It extends the existing farmyard into the adjoining countryside but is in close proximity to existing buildings so that it is viewed in context with the existing farm.

Landscaping

5.14 A significant amount of landscaping is proposed to three sides of the development, which will in time help to screen and soften the impact of the development from the road and nearby residential properties. Planting has already been implemented following the weighbridge approval but the trees are small and it will take many years for it to achieve the aim of softening the visual impact of the farmyard developments. The current application proposes to plant more mature specimens, which will not therefore take quite so long to be effective. Part of the planting is to be implemented on an acoustic earth bund, giving it immediately a greater effect.

5.15 The different ground levels around the farm will result in a more natural looking arrangement of screening so, rather than a harsh line of trees, the differing species, heights and levels, will, in time, result in a natural woodland area to reflect the visual effect achieved by the existing copse next to Rookery House.

Residential amenity

5.16 Concern has been raised regarding the potential for noise and disturbance at the site. The extent of the objections relates to the scale of the operation resulting from this building.

5.17 There is a level of activity associated with the use at the moment, involving grain being brought onto the site and dried. Currently grain is stored separately from the drier and therefore the procedure involves movements within the farmyard between store and dryer, which will be avoided if the proposed building is available. It is proposed that grain be brought onto the site, offloaded into the proposed building and then automatically dried through the systems operating within.

5.18 The Environmental Health Office is satisfied that, subject to conditions, the operation of the grain dryer will not have a seriously adverse impact on the amenity of the residents of nearby dwellings.

5.19 It is recommended that a condition be imposed restricting the use of lighting at the site to allow the Local Planning Authority to control illumination and thereby prevent light pollution.

5.20 The proposed building will be clearly visible from and have the greatest impact on the amenity of the residents of Rookery House. A distance of approximately 160m lies between

the proposed building and the windows and doors of the living room and bedrooms of that house. The main garden area lies between the application site and the house. There is a small amount of tree planting within the corner of the existing garden that screens the position of the proposed building to some degree, meaning that the principal outlook from the property is already towards the open aspect directly southwards.

5.21 Subject to appropriate conditions the proposed development is in accordance with LDF Policy DP1.

Highway safety

5.22 Most of the objections relate to highway safety issues. The applicant's appraisal suggests that a farm of this size will result in up to 3 vehicle movements a week to transport crops and the Carter Jonas report is in agreement with this. It is expected, and considered to be acceptable, that at certain times of the year, during ploughing, seeding and harvesting, this figure will increase. The drying facility itself should not result in additional movements as the grain would be brought onto the site in any event.

5.23 The Highway Authority confirms they have no objections if the development is not used as a commercial operation, as any intensification of the substandard access would not be looked on favourably.

Conclusion

5.24 Following discussion at last month's meeting Members asked for the proposed building to be redesigned to reduce its scale and for the landscaping scheme to be a wide belt on 3 sides around the farmyard and buildings. These details have been addressed in order to minimise the visual impact of the proposed development as far as possible and it is recommended that the application be approved.

5.25 Members also asked that a list of conditions to be included for consideration and these are listed at the end of this report.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The development shall not be commenced until details of the size of all specimens shown on drawing number 923/12B received by Hambleton District Council on 12 April 2012 have 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 completion of the building, unless the approved landscaping scheme has been carried out. 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.
3. Any grain dryer located within the building hereby approved shall only be used as part of the farming operation undertaken at Rose Cottage and Mount Pleasant Farm, Crayke for produce produced on the holding, and shall not be used in connection with a separate commercial enterprise.
4. No grain dryer other than the grain dryer installed within the building hereby approved shall operate at the farm at Rose Cottage, Crayke.
5. There shall be no installation or operation of means of illumination on the application site without details having first been submitted to and approved in

writing by the Local Planning Authority. Thereafter any means of illumination shall be operated in accordance with the approved details.

6. The fan units hereby approved and any grain dryer located within the building shall not be installed other than in accordance with the details within the acoustic report DC0743 dated February 2012 prepared by Dragonfly Acoustics. Thereafter no alterations shall be made to the grain dryer and fan units without the written approval of the Local Planning Authority.

7. Prior to the first use of any grain dryer and fan units, two "2D" silencers shall be installed in the exhaust train for each fan in front of the external exhaust as detailed in the acoustic report DC0743 dated February 2012 prepared by Dragonfly Acoustics. Thereafter no alterations shall be made to the grain dryer and fan units without the written approval of the Local Planning Authority.

8. Noise levels from the building housing the grain dryer shall not exceed 35dB LA 90 over 10 minutes at 3.5 metres from the south and west facing facades at Rookery House and the north and east facing facades at Halfway House (including holiday accommodation). [Details of locations to be clarified]

9. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered 923/10A and 923/12B received by Hambleton District Council on 9 December 2011 and 12 April 2012 unless otherwise agreed 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. In order to help assimilate the development within the rural landscape in accordance with LDF Policies CP16 and DP30.

3. For reasons of highway safety and residential amenity in accordance with LDF Policies CP1, CP2, DP1 and DP4.

4. For reasons of residential amenity in accordance with LDF Policies CP1 and DP1.

5. In order to protect the amenities of residential property in the area and the rural landscape in accordance with LDF Policies CP16, DP1 and DP30.

6. To protect the residential amenity of adjacent properties in accordance with LDF Policy DP1.

7. To protect the residential amenity of adjacent properties in accordance with LDF Policy DP1.

8. To protect the residential amenity of adjacent properties in accordance with LDF Policy DP1.

9. 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 above Development Plan Policies.



Atley Hill Road, North Cowton, Northallerton, North Yorkshire DL7 0JB
Tel: 01325 378008 Fax: 01325 378271

10th March 2012

Dear Mr Dawson,

Further to your question with regards to lowering the drier below the ground level of the existing yard I would like to raise the following issues.

- 1) The installation of the new grain drier will only be accessible from the south side of the yard. It would not be possible to lift the drier into a lower floor level as we require a level surface from the outside yard to the inside floor level of the building. The reason for this is due to the weights involved on the drier discharge, the specialist equipment used to install the unit require that jacks must be down on the machine to lift it into place. If they are not down the machine will pose a serious health and safety risk as the machine will not be able to lift the unit without tipping over.
- 2) The additional building of the drier and associated handling equipment would be seriously hampered due to limitations for access equipment required for the installation and would pose further health and safety issues.
- 3) Any further maintenance and repairs in the longer term would also be hampered.
- 4) The efficiency of the drier will be affected as the airflows to both the furnace and cooling sections of the drier will be restricted, therefore drying time will be extended and fuel and power consumption increased.

Sorry to present these problems, but it is essential that you are aware of these issues as it may prevent the drier installation from proceeding.

Yours sincerely,

Charles White
Director.

E & D.F.

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10 April 2012

Fao Helen Laws

Dear Helen,

ERECTION OF AN AGRICULTURAL BUILDING FOR STORAGE OF WET GRAIN AND THE HOUSING OF A GRAIN DRYER AT ROSE COTTAGE, CRAYKE FOR G & R DAWSON.

I refer to your email of 30th March 2012 regarding the above development and the points of concern raised by the Members, at the Committee meeting held on 29th March 2012.

As we were only made aware of the concerns regarding the height, on the morning of the meeting we did not have time for a major rethink with regard to the design of either the building or the dryer and associated machinery within, therefore the maximum reduction it was possible to offer was 600mm and this was explained at the time (whilst also pointing out that the AONB officer did not voice concerns regarding the proposed height and the Carter Jonas Report prepared on behalf of Hambleton District Council said in 5.4. that they considered "the size of the building which is intended to accommodate a dryer with associated intake pits and storage bays is of a reasonable capacity to service the business"). The height of the building was set to accommodate the clearance required for the proposed grain dryer (approx. 35 tonnes/hour) together with the various conveyers/augers that feed it (some from above) and the day to day access required to maintain and run this machinery. Both practically (the building would be easier and more economical to construct) and operationally (trailers tipping towards the front of the building would have clearance below the steel eaves beam) it would have been ideal to retain this original height, however as the members have expressed concern, we have looked again both at the design of the building and also the dryer installation to try to achieve the maximum possible reduction whilst still retaining the basic operational requirements, without which the building will not function in a safe and practical manner and taking into account the investment involved, neither would it be financially viable.

Two suggestions were put forward by members to achieve a reduction in height and we were asked to consider these proposals:

- i) To step the roof line of the building, retaining the full height over the dryer and reducing the eaves height of the remainder of the building.
- ii) Reduce the floor level of the building (it was subsequently suggested that the floor level of the area local to the dryer might be lowered to achieve a drop in the roof height over this area also)

We have carefully considered these points and will deal with the floor level, the roof height and finally our proposal:-

1. FLOOR LEVEL.

Following members' suggestions, we have again considered the possibility of the floor level of the dryer building being set at either 1m or 1.5m below the floor level of the existing grain store and also the subsequent suggestion that only part of the floor be lowered, locally to the dryer.

Our conclusion is that in addition to creating various technical problems it would also pose a real danger to the health and safety of the operatives because -

- i) The access door to the existing grain store is only 6m from the front line of the proposed dryer building, which would mean that the ramp down from the existing floor/main yard level to the floor level of the proposed building would be either 1:6 with a 1m reduction in floor level, or 1:4 with a 1.5m reduction in level and there would be no flat apron in front of the new building.
- i) On a 6m long ramp this would make reversing a grain trailer impossible as the trailer would "belly" on the top of the ramp - the adjacent weighbridge has a max gradient of 1:12 and even at this gradient the "shoe" on the trailer hitch can catch as the vehicle moves over the "crest".
- ii) The operator would have strictly limited visibility to the rear of the trailer when reversing creating a danger to other operatives.
- iii) As there would be no space for a flat apron in front of the building, when tipping towards the front of the building, up to 30 tons of grain and machinery would require to be held on a 1:6 or 1:4 slope whilst the tipping took place, with the potential for the tractor and trailer breaking free and running backwards into the building with unthinkable consequences for anyone working behind.

In addition to the Health and Safety issues related to the day to day running of the operation, there are further Health and Safety issues to be considered from the installers point of view and I have attached a letter from Allmet outlining the various problems.

The lowering of the floor level would also cause other more technical/practical problems:

- i) Because of the proximity of the two buildings the pad foundations of the existing grain store would be undermined.
- ii) The slope down from yard level to the lower floor level would channel water into the dryer building – again as there is no space for a flat apron this would be difficult to prevent and even inserting a channel type drain would not be ideal, as inevitably in an agricultural situation with farm vehicles running over it, it would block and the water would then run directly into the building and into the bunkers and reception pit which are full of grain.
- iii) It is not possible to lower the floor level locally to that part of the building housing the dryer, as this would result in the creation of retaining walls and a higher yard level in front of the dryer. There would also be a significant cross fall to the yard to achieve the change from the higher to the lower levels (retaining walls and sheer drops of 1 to 1.5m are not acceptable where heavy machinery operates). We have discussed this in some detail with the dryer manufacturer and they have advised us very strongly (see attached letter from Allmet), that they require a firm and level hard standing, in front of the dryer shed which has to be set at the same level as the building floor level (it is not possible to gain suitable access to the building from any other direction) to enable them firstly, to lift the dryer and associated plant into the building during its installation and secondly for maintenance should it be required. The bays to south side of that part of the building housing the dryer have been designed to be easily demountable and with minimum clear bay widths to suit the dryer width. This is to enable the various items of plant to initially be inserted into the building and subsequently to allow them to be removed and repaired, maintained or replaced as necessary. Whilst uncommon, the presence of grain, dust and heat does mean that fires can occur which can result in the subsequent removal of the dryer in its entirety and its repair/replacement). Allmet have also advised that lowering the dryer would affect the function of the dryer as the air flow into the dryer needs to be sited at a low level.

- iv) Even though the site slopes away to the North, the water table can be high (when excavating the foundations for the grain store the foundation pits were filling with water) and lowering the floor level would mean that the bottom of the auger pit was some 2.5 to 3m below surrounding levels which could cause serious problems with ground water ingress.

2. BUILDING HEIGHT.

As mentioned earlier the height of the building was set by the height of the proposed dryer and associated plant and members suggested that it may be possible to split the roof line, retaining the proposed height over the dryer and lowering the remainder of the roof. This option would technically be possible although I feel the form and outline of the building would become more complicated making the building more "obvious" and that because the highest part of the new roof would then be positioned between two lower roofs, I feel this may actually emphasise its height, we do not therefore favour this option.

PROPOSAL.

In essence, there were differing views among the members, some obviously felt that the application should be approved as it stood, some Members suggested that a lowering of the eaves over that section of the building not housing the dryer would be acceptable and others suggested that by lowering the floor level (subsequently locally to the dryer) a reduction in the overall height of the building could be made.

As we have explained above we feel that whilst it is not ideal in operational terms, it is possible to lower the eaves of the storage bays of the building, however it is not possible to lower the floor level of the building, either in full or in part as this creates serious problems both in health and safety and in operational terms, neither is it possible to reduce the eaves height over the dryer should we use the proposed 35 tonne/hr dryer.

As we cannot lower the floor level of the bays housing the dryer, the only other possible way to reduce the height is by using a smaller dryer.

Our proposal, which we would suggest meets the overall requirements of the Committee, would therefore be to:

- i) Lower the roof pitch from 17.5deg. to 15deg. which would lower the ridge by approx. 500mm over the whole building.
- ii) Lower the eaves over the storage bays by 1m.
- iii) Offset the suggested reduction in floor level of the dryer bays by reducing the size of grain dryer to a 25 or 28 tonne/hr model which would allow us to lower the eaves height over the dryer, also by 1m. Whilst reducing the dryer

throughput would again not be ideal (as the dryer would run for longer periods) we would be willing to make this compromise to gain the reduction in eaves level requested to this area of the building, without lowering the floor levels.

The above reductions mean that the overall height of the building could be therefore reduced by 1.5m which we believe is a significant amount. The eaves level throughout the building would also be reduced by 1m and there would be no requirement to step the roof line, thereby simplifying the outline and form of the building which would we feel would integrate more easily within the landscape. A copy of my revised drawing no. 923/10A indicating the alterations is attached for your information.

LANDSCAPING.

Comments were also made regarding the landscaping and the requirements of the AONB Officer.

I would like to point out again, that initially when the AONB Officer received the application he states that he felt **"no comments needed to be submitted from an AONB perspective"** it was only after "the strength of local feeling as communicated" to him that he felt it necessitated a second appraisal. His second appraisal states that he does not wish to object to the proposal but that he felt more substantial landscaping was essential – if it is now essential, I would question why he deemed this landscaping unnecessary when he first looked at the proposals? However, we understand that additional landscaping will integrate the scheme into the landscape and improve the local amenity and following the comments made after his second appraisal, we did discuss the proposals (H Laws & K Grinham) and substantially increase the proposed landscaping to the North of both the Dryer building and the existing grain store. We did however point out that due to the position of an existing 450mm dia. surface water drain (which takes surface water from Crayke, Mount Pleasant and Rookery House), the position of which was indicated on the submitted drawings, it was not possible to include a full 20m wide planting strip directly to the North of the Dryer Building as the tree roots would inevitably block the drain. As it was only possible therefore to plant a narrower strip, we offered to increase the size of the trees planted to this area (a note to this effect was added to the drawings), so that they would quickly form a substantial screen. The line of the drain also follows the low point of the land so planting in the area of the drain would in any case have had little impact for many years to come.

The AONB Officer also suggested additional planting in the form of a 20m wide screen to the East of the existing grain store. Again the formation of a full 20m wide screen is not possible as there is an existing pole mounted overhead power line running in this area

(shown on attached site layout and photograph 1) and it is obviously not possible to plant either below or in close proximity to the cables.

We have therefore indicated tree planting to each side of the cables, with only low shrub planting within the sensitive area and trust that this is acceptable. It should also be noted that whilst it is not possible to plant the full screen, because of the overhead wires, that the land rises steeply to this side and that the building is already cut into the ground by approximately 1.5 to 2.5m (across the width of the building see photo 2) meaning the landscaping shown will immediately have a greater impact than if it were planted at yard/floor level.

There also seems to be some confusion regarding species included in the screen, which are the same as those approved under the storage building application – but these can be agreed and adjusted to suit (by condition) with the inclusion of sycamore and pendunculate oak if required.

Whilst it is technically not part of this application, we have now received the noise report relating to the existing fans to the grain store. The report suggests mitigation to achieve a reduction in sound levels as required by Matt Hardy (HDC). The proposal is to provide a 2.5m high earth bund in front of the fans – this is to be sited to the North of the existing grain store, within the 20m wide planted screen (as indicated on drg. no. 923/12B attached).

The bund will therefore not only provide screening of the noise from the fans but will also provide visual screening of the buildings and its position means that the planting on top of the bund would also be raised by 2.5m making it immediately more effective.

I trust the above has now provided the members of the committee with the additional information requested, following the deferral of the application at the previous meeting. I believe that the proposed amendments to both the building and landscaping now meet with their requirements i) for a reduction in the height and mass of the building and ii) for an increase in the screening/landscaping and therefore would hope that they are now in a position to support the application at the next meeting.

Yours sincerely

Kevin Grinham

KEVIN GRINHAM DESIGN

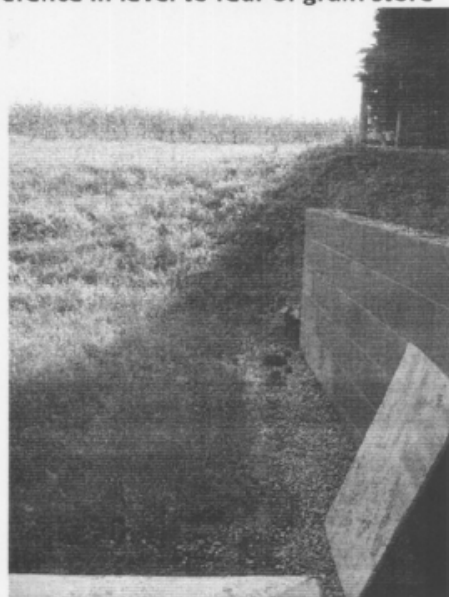
c.c. Mr R DAWSON

Attached: Allmet Letter, Drgs No's 923/10A & 12B, Photos 1 & 2.

Photograph 1 – power line



Photograph 2 – difference in level to rear of grain store



Kepwick

Committee Date : 26 April 2012
Officer dealing : Mrs B Robinson
Target Date: 11 April 2012

3.

12/00316/FUL

**Change of use of disused former chapel and reading room to an affordable residential dwelling and laying out of car park for use by visitors to Kepwick.
at The Old Chapel Kepwick North Yorkshire YO7 2JW
for Kepwick Estate.**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site includes a simple single storey stone building, with a short outshoot at the rear. The windows are vertical sliding sash type. At the front there is a pitched roof porch. Internally there is a small enclosed porch area and an open hall, and folding timber doors with which to divide the hall into two spaces. At the rear the outshoot includes kitchen and toilets. The building is stated to be former chapel/reading room, and has previously been used as a workshop. It is currently empty. At the rear the building is close to farm buildings in which cattle are housed. At the front the building is set back approximately 20 metres from the roadway and the land at the front is in use as an informal car park, with a mix of grass and informal surfacing. The front and rear boundary is a stone wall. There are post and rail fences to the side boundaries.

1.2 There is a further part of the application site located the east of the former chapel, on the other side of an intervening farm access. The land here is a small paddock, with a small gradient away from the road. It is bounded by a stone wall at the front. On the north side, the paddock is bounded partly by a stone wall and partly by the sides of traditional farm outbuildings.

1.3 The sites are at the western outskirts of the village. There is a small chapel or church to the west. The main group of houses lie along the village street to the east of the farm. The sites are within Kepwick Conservation Area. The south side of the village is within the North York Moors National Park.

1.4 The proposal is to convert the former chapel to an affordable dwelling, and to use the adjacent paddock as a car park.

1.5 The alterations to the house retain windows and doors as existing, and provide internal partitioning to form living accommodation with two bedrooms.

1.6 The car park is indicated to have an informal surface, as per the existing arrangements. Existing stone walls are retained, and a timber field gate provided at the entrance on the corner.

2.0 RELEVANT PLANNING HISTORY

2.1 None

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets

Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP28 - Conservation
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Core Strategy Policy CP8 - Type, size and tenure of housing
Development Policies DP13 - Achieving and maintaining the right mix of housing
Core Strategy Policy CP8 - Type, size and tenure of housing
Development Policies DP15 - Promoting and maintaining affordable housing
National Planning Policy Framework - published 27 March 2012
Core Strategy Policy CP19 - Recreational facilities and amenity open space
Development Policies DP37 - Open space, sport and recreation

4.0 CONSULTATIONS

4.1 Parish Council - The Parish Council of Siltons and Kepwick, Landmoth-cum-Catto wishes to offer no comments

4.2 Neighbours and site notice - expiry 20.03.2012. No observations have been received.

4.3 NYCC Highways - Conditions requested.

4.4 North York Moors Planning Authority - No objections. Request informal surface of car parking.

4.4 Environmental Health - Object.

Proximity to an active dairy farm, likely to lead to smells nuisance - MAFF guidance suggests this can be strong up to 100 metres away (and recommend 400 metres)

At less than 10 metres away, the risk is high of odour and fly nuisances, and may amount to a statutory nuisance, for which a satisfactory resolution may not be feasible, leading to a very unsatisfactory state of affairs for all concerned.

Recommend refuse.

5.0 OBSERVATIONS

5.1 With regard to the proposed house, the location is outside of any settlement in the CP4 hierarchy and the main issues are whether the circumstances would justify an exceptional case under CP1 and CP2 to allow consideration under Policy CP4(iii) Affordable Housing. Also relevant are CP8 Type and Tenure of Housing and CP9 Affordable housing and DP15, which sets out definitions for Affordable Housing, expanded and supported by the relevant adopted Supplementary Planning Document. If appropriate under these policies of principle, it will be necessary to consider issues of amenity (CP1, DP1), and the impact on the surroundings of the village (CP17, DP32) and the rural location (CP16 DP30), and the need for Public Open Space provision (CP19 DP37).

Affordable Housing Need

5.2 As an exception to policies CP1 and CP2 it is appropriate to consider the unusual circumstances of the Hillside parishes, east of the A19, where the settlements are mainly very small and do not appear in the hierarchy of sustainable settlements in CP4. There is no designated service village, and access to the market towns is restricted by the limited safe crossings of the A19. Due to the relative isolation of these parishes therefore, there is scope to consider whether, if there is an unmet need for Affordable housing in this location, a suitable conversion might be considered under CP4(iii).

5.3 The Rural Housing Enabler (RHE) has undertaken a recent (May 2010) parish survey of housing needs for Hillside Parishes of Boltby Cowesby Felixkirk, Kirby Knowle and Upsall, which showed a minimum existing need for 1 x 1-2 bed homes for singles and 2 x 2 bed homes for a couple, and 1 x 2 bed shared ownership home. A similar survey for Borrowby showed a minimum existing need for 4 x 1-2 bed homes for singles or couples to rent, 1 x 1-2 bed and 1 x 3 bed for shared/low cost ownership as well as 3 open market houses.

5.4 Each of these reports also draw attention to the limitations of such a survey in capturing the needs of younger people in particular and in addressing the future needs of young people in existing households who will need independent accommodation in the future, as well as noting a general shortage of smaller properties.

5.5 The RHE also notes that a larger need will usually reveal itself once suitable accommodation is identified or built, and that the surveys generally underestimate need.

5.6 The RHE reports that there has been no success in finding any rural exception site(s) to address unmet need in Hillside and Borrowby parishes.

5.7 In support of the affordable housing proposal, Kepwick Estates note that when their properties are advertised there is inevitably demand from local people and every effort is made to meet locally based needs wherever possible, including younger age groups, and that they operate a general policy of maintaining rental levels that are below commercial levels elsewhere, to maintain stability. They additionally note a specific recent query from someone with family ties and agricultural work locally, seeking accommodation in Kepwick (for which none was available at present).

5.8 Overall therefore, whilst up to date affordable housing needs information is not available for this particular parish; based on recent research by the Councils Rural Housing Enabler, there is a known shortage in the Hillside Parishes and no immediate prospect of a site becoming available in the villages or Borrowby, and it is highly likely therefore that there is an unmet need for Affordable Housing in this locality which this property, suitably conditioned and controlled, could address.

Affordable housing issue summary

5.9 There are unusual circumstances in the locality, in that Kepwick Estate has a good supply of rented housing which it makes available at relatively modest rents, giving priority to local people, and in these terms operates in a similar way to a social landlord. The Estate has expressed willingness to comply with an appropriate letting and management regime, including an element of input by the Local Authority, that mirrors that of acknowledged social landlords. It is highly likely that there is demand for an additional Affordable Dwelling within this or nearby parishes, and taking into account their comparative isolation, an exception can be made to Policies CP1 and CP2 to allow the dwelling as a conversion under CP4, with appropriate controls exercised by condition or agreement to ensure its retention.

Other Issues

Environmental Health

5.10 The proposed house is at very close quarters with a working farm including cattle kept in nearby buildings, and there is a query whether through smell or noise there would be an unacceptable harmful effect on residential amenities.

5.11 The views of Environmental Health have been sought and have recommended refusal on the grounds that due to the proximity of the farm livestock could give rise to concerns about living conditions which it might not reasonably be possible to overcome.

5.12 In response, the applicants have pointed out that the whole village is within the 400 metre distance mentioned as being desirable, that due to the control exercised by the estate as owners they could, require a) an undertaking not to pursue action about this issue or, b) could restrict occupancy to those employed in agriculture. They make the general point that this sort of an issue is less of a concern in a rural area compared with urban situations.

5.13 It can be noted that rear windows in the proposed layout serve non habitable ancillary spaces eg bathroom and utility, and there is some scope for occupants to exercise discretion about if and when to open windows, without compromising the amenities of the main living spaces.

(A more detailed consideration by Environmental Health of the precise circumstances of the farm is ongoing and any updated comments will be noted to the Committee)

Design and appearance

5.14 The appearance of the building will remain largely unchanged, including existing window openings, and retained porch. The building is not Listed but has a pleasingly historic appearance as a non-listed 'heritage asset' that will remain, and will continue to make a positive contribution to the character and amenities of the Conservation Area.

Public Open Space

5.15 The site does not contribute to public open space and the applicants have been made aware of the usual expectation that this need will be addressed by a commuted sum. The expected sum in this case is £2227.54. No agreement is made, so far.

Car park

5.16 The removal of the informal car park to the adjacent field is a logical approach and will maintain this well-used permissive communal facility and will continue to provide for the enjoyment of the very high quality surrounding countryside. The field concerned has well established boundary walls, which will soften the impact of the cars within and will not be unacceptably incongruous or obtrusive when viewed in the context of neighbouring buildings, and the amenities of the Conservation Area will not be significantly affected.

Conclusion

5.17 Subject to a final considerations of Environmental Health factors in relation to the proposed dwelling, approval is recommended.

SUMMARY

There is evidence that there is demand for an additional Affordable Dwelling in this vicinity, and taking into account the comparative isolation of these parishes, an exception can be made to Policies CP1 and CP2 to allow the dwelling as a conversion under CP 4, and in accordance with the policies noted above.

Due to their design siting and location the proposals are appropriate to the rural surroundings and will not have an unacceptable harmful effect on the amenities of neighbouring occupiers and are able to comply with the above policies.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. No person or persons shall occupy the dwelling hereby approved unless he or she is a tenant and unless: a) he or she is a person in need of such accommodation as defined in the Schedule to these Conditions and he or she fulfils one or more of the criteria contained in Conditions 3 or 4 below: or b) he or she has succeeded to a tenancy under the provisions of the Housing Act 1986 upon the death of the former tenant of the accommodation; or c) he or she was upon the death of the former tenant a member of the former tenant's family who resided with him/her throughout the period of twelve months ending with the former tenant's death and who occupied the accommodation as his or her only principal home at the time of the former tenant's death; or d) he or she has succeeded to the tenancy as a result of a Court Order.
3. Subject to Condition 4 no person or persons shall occupy all or any part of the dwelling unless he/she is a person who is in need of such accommodation and who: a) has immediately prior to such allocation been ordinarily resident within the Parishes of Kepwick, Nether Silton, Cowesby, Boltby and Leake, ("the Parishes") for a period of at least twelve months; or b) has within the last ten years prior to such allocation been ordinarily resident in the Parishes for a period of at least five years; or c) has immediately prior to such allocation a mother, father, son or daughter or some

other relative or carer approved in writing by the Local Planning Authority who has been ordinarily resident in the Parishes for at least twelve months; or d) is immediately prior to such allocation permanently employed in the Parishes.

4. If upon the accommodation becoming available for occupation the Owner is unable to fill any vacancy arising in accordance with Condition 3 above as confirmed in writing by the Local Planning Authority then the Owner may allocate the unit of accommodation to a person who is considered by the Owner to be in need of such accommodation and who: a) has immediately prior to such allocation been ordinarily resident within one or more of the Parish(es) of Boltby, Borrowby, Felixkirk, Kirby Knowle, Knayton, Landmoth cum Catto, Over Siltan, Thirlby, Upsall (or such other Parish(es) as may be agreed from time to time ("the Other Parishes") for a period of at least twelve months; or b) has within the last ten years prior to such allocation been ordinarily resident in one or more of the Other Parish(es) for a period of at least five years; or c) has immediately prior to such allocation a mother, father, son or daughter or such other relative or carer approved in writing by the Local Planning Authority ordinarily resident in one or more of the Other Parish(es); or d) is immediately prior to such allocation permanently employed in one of the Other Parish(es) but if there is no such person then to any person in priority need nominated by the Local Planning Authority PROVIDED that if within seven working days of a written request by the Owner the Local Planning Authority is unable to nominate a person and/or if within fifteen working days of the request the Owner is unable to fill any vacancy arising in accordance with Condition 2 above or this Condition then the Owner may allocate any vacant unit to any person who is considered by the Owner to be in need of such accommodation.

5. At all times in allocating or managing the units of accommodation in the dwelling the Owner shall charge rents which are no higher than the Benchmark rents for the area specified by the Homes and Communities Agency or its successors from time to time.

6. The occupation of the house shall not commence unless there has been approved in writing by the Local Planning Authority a scheme for the management of the dwelling including rules for allocation of the property and establishing rental levels. The dwelling shall not be let except in full accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.

7. The height of the boundary wall to the new car park shall be kept below 1.05m above ground level.

8. 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.

9. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 3490/05 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

10. The car park shall not be surfaced except with a permeable surface the details of which have been previously approved in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Section 18A of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2. To ensure that the development is carried out in full accordance with the aim and content of Local Development Framework Policies CP 9, CP 9A and DP 15.
3. To ensure that the development is carried out in full accordance with the aim and content of Local Development Framework Policies CP 9, CP 9A and DP 15.
4. To ensure that the development is carried out in full accordance with the aim and content of Local Development Framework Policies CP 9, CP 9A and DP 15.
5. To ensure that the development is carried out in full accordance with the aim and content of Local Development Framework Policies CP 9, CP 9A and DP 15.
6. To ensure that the development is carried out in full accordance with the aim and content of Local Development Framework Policies CP 9, CP 9A and DP 15.
7. In accordance with policy number CP1 and in the interests of highway safety.
8. In accordance with policy number CP1 and in the interests of highway safety.
9. In accordance with policy number CP1 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.
10. To ensure an appropriately natural appearance, in accordance with Local Development Framework Policy DP32.

4.

12/00212/FUL

Demolition of existing bungalow and construction of a replacement dwelling. at Crossways Middleton Road Hutton Rudby North Yorkshire for Mr Karl G Finch.

1.0 PROPOSAL AND SITE DESCRIPTION

1.1 This application seeks planning consent for the demolition of the existing bungalow and the erection of a replacement dwelling house.

1.2 The proposed replacement dwelling house would have five bedrooms and would be two-storey in scale with two dual-pitched roof projections extending out from the principle (east-facing) elevation. Between the two projections would be a lean-to style canopy above the front entrance door. The north-most projection would contain a double garage door providing access to the integral garage, whilst the south-most projection would have a bay window. The dwelling has been designed to have an external chimney stack to the side (south-facing) elevation, whilst on the rear (west-facing) elevation a single storey 'Garden Room' element would be erected. There would be ground floor and first floor window openings installed in all elevations. The replacement dwelling would be brick-built with uPVC windows and external doors. No specifications of the roof covering(s) have been provided, although the applicant is happy to negotiate with the local planning authority with regards this.

1.3 The main body of the dwelling house would measure approximately 12 metres in depth, 16.4 metres in length with eaves and ridge heights of 5.2 metres and 8.4 metres respectively. The single storey garden room element would measure approximately 4.2 metres in projection, 5.7 metres in width with eaves and ridge heights of 2.5 and 3.6 metres,

1.4 The development would utilise the existing vehicle access and driveway. The conifer hedgerow on the northern boundary of the application site would be replaced with a mixed hedgerow and a 1.8 metre high timber fence. The hedgerows on the other boundaries would be retained and enhanced.

1.5 Crossways is a detached bungalow located in a relatively spacious plot on the western side of Middleton Road at the top of Rudby Bank outside of Development Limits. The neighbouring properties of Green Banks and Long Meadows are located to the south and north of the site respectively. Vehicular access to the site is gained off Middleton Road via an entrance towards the south-eastern corner of the site. The existing bungalow is set back of Middleton Road and the site is relatively enclosed and screened by hedgerows and trees.

1.6 The agent has provided an additional response to the objections raised during consultation including a 'line of sight' plan.

2.0 RELEVANT PLANNING HISTORY

2.1 11/01287/FUL – Alterations and extensions to existing property (as amended by plan received by Hambleton District Council on 28 June 2011) APPROVED 19.07.2011.

2.2 11/01696/MRC - Application to modify conditions 2 amendment of design & condition 4 removal of hedge of planning approval 11/01287/FUL APPROVED 03.10.2011.

2.3 It should be noted that there two previous group Tree Preservation Orders (TPO) on the site (TPO 1961/12 and 1980/02) relating to trees on the boundary between Crossways and Green Banks have been revoked.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Development Policies DP9 - Development outside Development Limits
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Hutton Rudby Village Design Statement

4.0 CONSULTATIONS

4.1 Hutton Rudby Parish Council : The Parish Council would like to see the application refused for the following reasons :The dwelling would have an overbearing impact on neighbours leading to loss of privacy the dwelling would be totally out of character for the area; the increased height in this prominent position would have an adverse impact on the area; it would have an adverse effect on the street scene; any new building should remain on the original footprint.

4.2 Northumbrian Water : No objections to the proposal.

4.3 Highway Authority : No objections subject to conditions.

4.4 Neighbours have been notified, site notice posted; (expired 02.04.12) There have been no.9 respondents (no.7 objecting and no.2 supporting) Below is a summary of the points of objection that have been made:

The proposal would be harmful to visual amenity, because of the more obvious appearance/height of the proposal (in comparison to the previously approved extended property)

The proposal would be damaging to the surrounding area and would be out of keeping with the visual appearance of the area, dominate the sky line and be out of scale with existing neighbouring properties.

The proposal is too large in height and scale and would have an overbearing and 'towering' impact on adjacent properties, including those sited opposite. The close proximity of new, larger sized dwelling to the southern boundary of the site would raise amenity issues – including overlooking – in relation to the neighbouring property of Green banks and would not 'open up' the site as stated in the plans and particulars. Any replacement dwelling should remain a bungalow or dormer bungalow, to reduce any visual or privacy impact on neighbouring properties.

If the application is granted, it is suggested that any windows that overlook the neighbouring properties of Green Banks and Longmeadows are removed from the design of the dwelling and/or obscure glazed.

The proposal would have elevated windows on the north side of the building, looking down on the neighbour's site (particularly as there has been alteration to the boundary landscaping)

The head of a major junction and will be overpowering to all surrounding buildings, will have an intrusive effect on the overall street scene.

To demolish the existing building and re-build, appears to be very drastic measure.

Any new hedge planting should follow the 'true boundary' between Crossways and Longmeadows, whilst the 1.8 metre fence would be 'an eyesore'. Any landscaping on this boundary should be carried out as soon as possible.

Mention has been made of a lack of a Site Notice. However, one was placed adjacent to the site on Middleton Road on 12.03.2012.

The position of the dwelling within the plot will 'split it in two' leaving it available for further development in the future thus eroding the rural character of this part of the village and potentially adversely affect the amenities of the occupants of neighbouring properties. One objector has suggested that the local planning authority ensure that the dwelling is located more central within the generously spaced site to prevent the possibility of further development in the future.

The construction of the proposal would create hazards, including building dust, noise pollution and movement of heavy machinery in a residential area.

The applicant has displayed 'rude and aggressive' behaviour previously causing distress and concern.

4.5 The following are the points raised in support of the application. Some of these comments are provided by Mr G Finch (the father of the applicant) predominately in response to some of the objections made by consultees:

The proposal would represent the 'long and overdue' redevelopment of Crossways into a 'modern, green sustainable' house which would enhance the area by replacement a 'retirement bungalow' with a family home.

Doubtful that the development will block the views from neighbouring properties as suggested in the objectors' comments.

Is concerned about the personal comments raised in some of the consultee comments.

It is misleading to suggest that the height of the proposed dwelling would be higher and more intrusive than the approved extended property; the front gable of the proposed dwelling house would be identical to the gable height of the approved extended dwelling, and would be less noticeable when approached from the east. Generally speaking, the proposed dwelling would have no more impact on adjoining properties than the already approved proposals to extend the extending property (Mr G Finch).

The site is well screened by trees and shrubs which are to be retained

Questions objectors' comments regarding the ownership of the hedgerow between the site and Longmeadows. In any case, it is stated that these are private legal matters.

The proposal would not be out of character with the surrounding area, particularly as the house styles are so varied in this area.

The house is heavily screened by trees/bushes from the road and would not have a detrimental impact on the street scene.

The current proposal would have no difference in terms of amenity on surrounding properties in consideration that proposals to create a two-storey dormer bungalow have already been approved and this proposal would not overlook neighbouring properties any further than this approved scheme.

Previous planning approval has been granted to construct another dwelling within the garden of the neighbouring property of Longmeadows.

Many of the objector comments seem 'very biased, irrelevant, personal or exaggerated'.

The proposal would represent the construction of an energy efficient two storey house to replace the existing outdated design and make efficient use of land.

5.0 OBSERVATIONS

5.1 The main planning issues to take into account when considering this application relate to the impact on the visual amenity of the surrounding area and any impact on neighbour amenity.

Principle of the Development

5.2 Development Policy DP9 clearly states that permission will only be granted for development outside of development limits in 'exceptional circumstances' (with regards to the provisions of CP4), or where it constitutes the replacement of a building, where the new building would achieve a more acceptable and sustainable development than would be achieved by conversion.

5.3 The proposed dwelling is not considered to meet any of the provisions of CP4 with regards to representing 'special circumstances' for the erection of a new dwelling house outside of Development Limits. Whilst the development would represent the replacement of an existing residential dwelling outside of Development Limits, the proposal needs to be carefully considered in terms of whether a 'more acceptable and sustainable' development would be achieved. The existing dwelling has recently been subject to planning approval to extend and remodel the property. Although this approved scheme has not yet commenced, the previous approval is an important material consideration, therefore this current proposal also needs to be considered in light of this previously approved scheme (as amended) in terms of its 'acceptability and sustainability'. In terms of whether the proposed development is 'more acceptable' than the existing or approved extended dwelling depends largely on consideration of its design (including impact on the general character of its surroundings) and impact on neighbour amenity.

Sustainability

5.4 A 'Planning Statement' and 'Design and Access Statement' have been provided with the application which argue that the property is sustainable in terms of its location relatively close to the services and facilities of Hutton Rudby and the location of bus stops within 100 metres of the site. It is also stated that the new dwelling would be highly insulated, benefit from passive solar gain and an energy efficient boiler and incorporate rainwater capture and circulation.

5.5 Despite being located outside of Development Limits, the location of the site is relatively sustainable in terms of accommodating a larger, 5 bedroom property given the close proximity of public transport links and the services and facilities of Hutton Rudby. In comparison to the existing bungalow, the new dwelling is likely to be more energy efficient despite its larger size, although no empirical information or data has been provided to compare the energy efficiency of the existing bungalow to the proposed dwelling.

Design, Scale and Appearance

5.6 This part of Hutton Rudby - based along Rudby Bank and Middleton Road - contains a mixture of different property styles, designs and materials, most of which are detached but which vary greatly in scale and form. Therefore the principle of replacing a bungalow with a two-storey dwelling house cannot be considered to be out of character in relation to character of the surrounding area. However, with the main body of the dwelling house measuring approximately 12 metres in depth, 16.4 metres in length and eaves and ridge heights of 5.2 metres and 8.4 metres respectively, the replacement dwelling would represent a relatively large building in an elevated position adjacent to an important road junction.

5.7 It should be noted that there are other relatively large, detached residential dwellings along Rudby Bank and Middleton Road also in elevated positions, whilst the substantial tree and hedgerow cover to the front of the site also helps to provide a partial screen to the

property. However, the combination of the property's substantial scale (particularly the physically dominant principle elevation with its dual projections), its elevated position as well as its location close to an important and busy road junction would mean that the dwelling is likely to be seen as a dominant building within its surroundings. The NPPF requires planning proposals to achieve high quality design. Given the relatively prominent and elevated position of the property, a design of property which is less physically dominating and which makes better use of the spacious plot to help screen and reduce the prominence of the building is considered necessary.

Amenity Impact

5.8 The physical impact of the proposed dwelling house on the property and curtilage of Green Banks would undoubtedly be increased as compared to the impact of the existing bungalow and approved dormer bungalow within the site. The ridge height of the previously approved dormer bungalow proposal would have been 7.2 metres, whilst the proposed replacement dwelling would be 1.2 metres higher at 8.4 metres. In addition to the increase in height, the design and two storey form of the proposed dwelling would increase the bulk and physicality of the dwelling as compared to both the existing bungalow on the site and the approved dormer bungalow re-design of the bungalow. Although the approved dormer bungalow design would have a solid south-facing gable a similarly close distance away from the boundary between Crossways and Green Banks, the physicality of this elevation would be negated as a result of the relatively low eaves height of the building as well as roof slopes sloping away from the boundary. The south-facing gable elevation of the proposed dwelling would not benefit from low eaves or sloping roofs to help break up and reduce the physicality of the south-facing elevation, and in contrast would be physically imposing vis-à-vis the property of Green Banks due to its close proximity to the southern boundary of the site, and its large height and scale. This increased physicality would have an unacceptable overbearing impact on the curtilage and north-facing elevation of the neighbouring property of Green Banks. Given the relatively large size of the plot, a scheme which moved the footprint of the property away from the southern boundary of the site towards a more central position would seem to negate most of the amenity issues raised by objectors. The spacious nature of the site and the position of the building close to the southern boundary would mean that the dwelling would not have an unacceptable physical impact on any other neighbouring properties, including Long Meadows to the north.

5.9 The south-facing gable elevation of the proposed dwelling would contain two first floor windows, serving bedroom 1 and the associated en-suite respectively. Given the close proximity and elevated position of these windows to the neighbouring property of Green Banks, it is considered expedient to ensure that these two windows are both permanently obscured glazed and fixed to maintain the privacy of the occupants of this adjacent property. The screening effect of the substantial boundary hedgerow would ensure that there would be no privacy issues raised by the ground floor windows within the south-facing elevation of the dwelling. The relatively large distance and intervening hedgerows and trees would mean that there would be no significant privacy issues raised in respect of the proposed openings within the principal and rear elevations of the dwelling and any residential dwellings to the east and west of the site.

Parking and Access Arrangements

5.10 The proposal would utilise the existing site entrance and driveway with modifications to provide access within the site to the integral garage. The access and on-site parking arrangements are considered to be acceptable. The Highway Authority have raised no issues to the proposal.

Drainage/Foul Sewerage

5.11 The foul sewerage would be dealt with via a package treatment works which is considered to be satisfactory. Northumbrian Water have raised no objections to the proposal.

Other Issues Raised Following Consultation

5.12 A consultee has stated that the erection of a 1.8 metre high fence on the boundary would represent 'an eyesore'. Given the relatively withdrawn position of the fence between two properties as well as the surrounding landscaping, it is difficult to agree that the fence would be out of character in relation to its surroundings,

5.13 An objector has also stated that the construction of the proposal would create hazards, including building dust, noise pollution and movement of heavy machinery in a residential area. Whilst some degree of disturbance is to be expected with the construction of most development, the spacious character of the application site should help to ensure that building materials and construction vehicles can be parked adequately on site during construction. In addition, the trees and dense hedgerows on the boundaries of the site should help to negate any significant noise or dust issues, although any planning approval could be conditioned to control 'hours of operation' to prevent any construction works being carried out during anti-social hours of the day and week.

5.14 Comments have also been made by objectors regarding the alleged personal behaviour of the owners of the site. These should not be taken into account in the consideration of this planning application.

CONCLUSION

5.15 Taking the above into account it is considered that the proposed demolition of the existing bungalow and erection of a new two storey dwelling house would not accord with DP1 of the Hambleton LDF in relation to neighbour amenity and policies CP17 and DP32 in respect of the design of the development. Hence this application is recommended for refusal.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The form, scale, position and design of the replacement dwelling house would be inappropriate in the context of its surroundings, contrary to Local Development Framework Core Strategy and Development Policies CP17 and DP32 in relation to design.
2. The proposed replacement dwelling house would have an unacceptable physical and overbearing impact on the occupants of the neighbouring property of Green Banks adversely affecting their current levels of amenity and contrary to Local Development Framework Development Policies CP1 and DP1.

5.

11/00054/FUL

**Revised application for the construction of 14 houses with associated access and parking.
at Rear Of The Old Mill Levenside Stokesley North Yorkshire
for Kebbell Developments.**

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 Planning permission was granted in July 2007 for the construction of 14no dwellings on land to the rear of the Old Mill off Levenside (ref: 06/01279/FUL). The approved scheme involved the demolition of the existing warehouse buildings and the construction of 5no terraced properties of traditional form and a courtyard building containing 2no apartments and 7no dwellings to the southern boundary of application site.
- 1.2 This revised application seeks permission for the construction of 14no 2 and 2½ storey terraced dwellings contained within three separate blocks. The application site boundary mirrors that of the previously approved scheme and access would be gained via Levenside from the former Armstrong Richardson site entrance. Delineation of the access road and footpath is to be clarified with the use of contrasting materials and kerbs. Car parking is to be provided in-curtilage and/or garages close to dwellings. Overall, the development equates to 45 dwellings per hectare.
- 1.3 The proposed dwellings take much of their style from common architectural features found within the nearby conservation area. Eaves and ridge heights are varied and dormers have been omitted where appropriate to give an impression of a townscape grown-up over time. The external finishing materials include red-multi facing bricks, slate-type roof coverings and a mix of traditional sliding sash and side hung casement windows. Block pavers to the shared surface are proposed in order to create an 'attractive' lane. Railings enclose the front gardens of plots 1 to 4 facing Union Mill whilst elsewhere front gardens are kept open to reflect an informal feel.
- 1.4 At Planning Committee on 15 September 2011, Members were asked to consider the flood risk issues and mitigation measures relating to the development. A copy of the Agenda Item Report is attached.
- 1.5 A bespoke Flood Risk Assessment has been submitted in support of the application. The Applicant's consultant engineers, Wardell Armstrong, have confirmed that the land can be developed in a manner that will mitigate against flooding but that this will necessitate some engineering works beyond the site boundary. These works will comprise of the construction of a swale or pond that can accommodate any flood water that might be displaced by the buildings in the event of a flood and the provision of an emergency access route to allow access to and egress from the site in the event of a flood.
- 1.6 This part of the former Armstrong Richardson site is located approximately 400m to the south of Stokesley High Street. The application site covers 0.31ha and contains two warehouse buildings with associated concrete hardstanding areas. These buildings are of no historic or architectural merit and Conservation Area Consent to carry out their demolition was granted under delegated authority on 7 August 2006.

- 1.7 Open countryside lies directly to the east and south of the application site, a terrace of bungalows is located to the west (Lady Hullocks Court) and a mix of commercial and traditional market town dwellings stand to the north with Stokesley High Street beyond.

2.0 RELEVANT PLANNING HISTORY

- 2.1 06/01280/CON - Application for Conservation Area Consent to demolish existing warehouse buildings (Granted on 07/08/06).
- 2.2 06/01279/FUL - Construction of 14 dwellings and associated car parking as amended by letter and plan as received by Hambleton District Council on 3 August and 3 October 2006 (Granted on 13.07.2007)
- 2.3 08/00286/FUL - Revised application for the construction of 14 houses with associated access and parking as amended by plans received by Hambleton District Council on 16 April 2008 (Withdrawn on 16.05.2008 to allow for the submission of a revised Flood Risk Assessment and further consultation)
- 2.4 09/00490/DIS - Proposed discharge of conditions 1 - 26 attached to planning application 06/01279/FUL (Granted on 04.12.2009).

3.0 RELEVANT PLANNING POLICIES

CP1 – Sustainable Development
CP2 - Access
CP3 – Community Assets
CP4 – Settlement hierarchy
CP8 – Type, size and tenure of housing
CP17 – Promoting high quality design
CP19 – Recreational facilities and amenity open space

DP1 – Protecting amenity
DP2 – Securing developer contributions
DP3 – Site accessibility
DP4 – Access for all
DP6 – Utilities & Infrastructure
DP8 – Development limits
DP32 – General design
DP33 - Landscaping
DP34 – Sustainable energy
DP37 – Open space, sport and recreation
NPPF – adopted 27 March 2012

4.0 CONSULTATIONS

- 4.1 Stokesley Parish Council - no objections.
- 4.2 NYCC Highways - no objections subject to conditions.
- 4.3 Environmental Health Officer - no objection subject to conditions. Also note that there is the potential for air source heat pumps to be installed. In some circumstances these can produce excessive noise. Would therefore welcome a condition which requires, prior to their installation, the submission and approval in writing of a scheme detailing how noise from such equipment will be controlled.
- 4.4 Environment Agency - no objections subject to conditions.

4.4 Publicity - neighbouring occupiers were consulted in writing, a site notice was erected close to the application site and a statutory notice appeared in the press. The period for replies expired on 22.02.11. Two objections have been received and are summarised as follows:-

- a) The access should be onto the bypass via a roundabout.
- b) There is already enough traffic coming onto Levenside especially near the Police Station trying to get onto the High Street.
- c) They are going to put a service that way from the bypass so why not make it permanent?
- d) Show week would not be safe for access to emergency vehicles.
- e) There is a row of trees that needs taking down as they are blocking light into the bungalows.
- f) PPS25 includes Key Planning Objectives, which require Local Planning Authorities to:

“only permitting development in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding”.

There are a number of “reasonably available” sites on Flood Zone 1 that could accommodate the number of dwellings (or more) described in this application. These alternative sites are not necessarily as sustainable as the proposed development but they do meet the PPS25 requirement of being “reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use”.

A Strategic Housing Land Availability Assessment (SHLAA) has been carried out for Stokesley. The primary role of a SHLAA is to identify sites with potential for housing, assess their potential and consider whether they are likely to be developable. It would therefore seem clear that sites that passed the SHLAA assessment meet the PPS25 requirement of “reasonable” for housing development.

Based on the 2009 SHLAA for Stokesley, the following sites have been identified which have a potential yield for 50 or more dwellings. All these sites are on Flood Zone 1.

This data demonstrates that reasonable alternative sites on Flood Zone 1 are available.

Although distance is important, the quality of the walk is also worth consideration. From 142/18 the walk to the Primary School (for example) is on footpaths or through quiet new estate roads with wide pavements. For the proposed development the walk to the school involves crossing Bridge Road, the High Street and North Road; all busy, and only the High Street benefits from a controlled crossing. The relative quality and ease of the walks is not mentioned in the Assessment but I believe it important.

No reason why site 142/18 (and perhaps the entire SHLAA list above) would not be entirely appropriate to housing development of these dwellings. Indeed the claim that the proposed site “score(s) positively above other alternative sites with respect to sustainability” is not correct. One site is at least as good, although a site only needs to be “reasonable” to meet the PPS25 requirement.

The proposed application therefore appears to fail the Sequential Test.

Policy Statements are clear that housing development should be on Flood Zone 1 rather than Zones 2 or 3 if reasonable and appropriate sites are available. I believe I

have demonstrated that there are a number of sites on Flood Zone 1 that meet that criterion.

5.0 OBSERVATIONS

- 5.1 The main issues to consider in this case are the principle of developing the site for housing and matters relating to design and layout, density, impact on neighbours, public open space, sustainable construction, car parking provision and highway considerations.
- 5.2 Policy CP4 of the Core Strategy establishes a settlement hierarchy which clearly defines sustainable settlements where new housing development will be encouraged. The application site located within the development limits of Stokesley which is defined as a Service Centre where new housing development is acceptable in principle.
- 5.3 In terms of density, the recommended range of between 30-50 dwellings per hectare is no longer quoted within national planning policy. Nonetheless, the proposed density is considered to reflect the pattern and the character of the surrounding Conservation Area.
- 5.4 The application site occupies a fairly central location close to Stokesley town centre and provides excellent access to local services, shops and public transport. The revised proposal equates to a density of 45 dwellings per hectare, which is considered to be appropriate to the site's location. It is clear therefore that the proposal meets the relevant planning policy in this regard and the proposal makes good use previously developed land in a sustainable location.
- 5.5 With regard to amenity, the layout and design of the development is considered to accord with Policy DP1 which seeks to protect the residential environment of existing and future residents. In this case the use of the site for housing is considered preferable and an improvement in living conditions to continued use of the site for commercial purposes.
- 5.6 The proposed scheme is considered to be of good design in accordance with the principles of the National Planning Policy Framework (NPPF) and the requirements of Policy DP32 of the Development Policies DPD. The design reflects the traditional vernacular of the Stokesley Conservation Area but meets modern aspirations whilst sufficient car parking and private amenity space are to be provided. Clear steps have been taken by the developer to produce an innovative and attractive scheme that will add to the value of the town's built environment.
- 5.7 The proposed layout achieves adequate levels of space about the proposed dwellings in order to avoid problems of overlooking and overshadowing between the proposed properties. The space standards achieved towards existing properties are good and generally comply with the Council's indicative separation distances of 21m between main elevations of dwellings and a 14m distance between the side elevation and rear elevation of neighbouring dwellings.
- 5.8 Plot 14 would stand approximately 11.5m from the rear of those terraced bungalows located to the west (Lady Hurrocks Court), approximately 2.5m short of the 14m required. It is also important to note that the existing warehouse building stands 10m from the rear of Lady Hurrocks Court and runs for a length of 34m adjacent to the side boundary. Consequently, living conditions for neighbouring residents will be improved as a result of the proposed development.
- 5.9 Policy DP34 of the LDF requires all developments of 10 or more residential units to address sustainable energy issues, by reference to accredited assessment schemes and incorporate energy efficient measures which will provide at least 10% of their on-

site renewable energy generation, or otherwise demonstrate similar energy savings through design measures.

- 5.10 An “Alternative Technologies and Environmental Sustainability Report” has been submitted with the application. This report gives consideration to the incorporation of various sustainable features where possible, including solar hot water generation and rainwater recycling, although the report contains no firm proposals. Consequently, it is recommended that a suitably worded condition is applied in order to secure a scheme for suitable design improvements to the approved housetypes and/or on-site renewable energy generation.
- 5.11 As the application site does not incorporate any public open space the developer would be required to enter into an s.106 agreement to pay a commuted lump sum of £46,309.20 in compensation for the shortfall in provision, in accordance with policies DP2 and DP37. The Applicant has agreed to pay this sum and a legal agreement is currently being prepared.
- 5.12 Policy CP9 relates to the provision of affordable housing and seeks the provision of 50% affordable housing on sites of more than 0.5 hectares or 15 dwellings within Stokesley. The scheme does not exceed either threshold and, as a result, there is no need to provide affordable housing in this instance. However, the scheme does provide for modestly sized dwellings, helping to improve the supply and range of more affordable units in the centre of Stokesley.
- 5.13 In terms of bin storage, there is direct access to all rear gardens enabling bins to be stored in rear gardens, with space for these to be brought out and left for collection in a location that is accessible to refuse vehicles on the appropriate days.
- 5.14 The scheme also now includes dedicated cycle parking, which promotes sustainable means of transport.
- 5.15 Paragraph 100 of the NPPF states that “inappropriate development in areas at risk of flooding should be avoided by directing new development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.”
- 5.16 The NPPF requires new development to comply with a “Sequential Test” and, if necessary, an “Exception Test” that closely reflect the tests contained within the replaced PPS25. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied. For the Exception Test to be passed:
- It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
 - A site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.17 A site specific flood risk assessment (FRA), produced by Wardell Armstrong, has been submitted in support of the application. The FRA concludes that both the Sequential Test and the Exception Test are both passed.
- 5.18 Significant weight should be given to the fact that extant planning permission exist for the construction of 14 dwellings (ref: 06/01279/FUL). This permission was granted in 2007 and has been implemented through initial groundworks. In 2007 when the application was granted, flood projections were lower and therefore design specifications were also lower (such as finished floor levels, drainage inverts etc).

The current application will provide a safer development compared to the approved scheme, in terms of the resistance and resilience measures, raised finished floor levels and access and egress plan.

5.19 The proposed development will include the following design elements:-

- Proposed dwellings will be set 450mm above the 1 in 100 year flood level including climate change;
- Sufficient compensatory storage will be provided for any loss of existing flood volume;
- Dry pedestrian access and egress will be provided to the proposed housing which can be utilised by existing residents of Levenside; and
- Vehicular access and egress will be provided to all houses along a dry or shallow (less than 200mm deep) water covered track which connects to the existing A172 Highway.

5.20 Following confirm that the Sequential Test and Exception Tests have been passed the Environment Agency has removed its holding objection and raises no objection to the application subject to the mitigation measures contained within the FRA being secured by condition.

5.21 For the reasons given above and having regard to all other matters raised, it is recommended that planning permission be refused for the application as submitted.

6.0 SUMMARY

6.1 Subject to the signing of a s.106 agreement, the proposed development is considered to accord with the above policies of the Hambleton Local Development Framework. The scheme involves the use of previously developed land within a sustainable location and is appropriate in terms of design, scale and massing to its location without detriment to local visual or adjacent residential amenity.

7.0 RECOMMENDATION:

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 1199 03 Rev.F; 1199 10 Rev.E; 1199 12 Rev.D and 1199 14 Rev.D received by Hambleton District Council on 12 June 2006 and 12 September 2011 unless otherwise agreed in writing by the Local Planning Authority.
3. The external surfaces of the development shall not be constructed other than of materials, details and samples of which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
4. The development shall not be commenced until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority
5. No dwelling shall be occupied until the boundary walls, fences and other means of enclosure have been constructed in accordance with the details approved in accordance with condition 4 above. All boundary walls, fences and other means of enclosure shall be

retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.

6. 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.
7. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0700 hours and 2100 hours Monday to Friday, 0700 hours to 1700 hours Saturday and there shall be no such work on Sunday or on any public holidays unless by prior written consent of the Local Planning Authority.
8. 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.
9. 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 8 above.
10. The site shall be developed with separate systems of drainage for foul and surface water.
11. Prior to the development commencing details that show how 'Secured by Design' principles have been incorporated into the scheme shall be submitted for the written approval of the Local Planning Authority and once approved the development shall be implemented in accordance with the approved 'Secured by Design' details prior to occupation or use of any part of the development hereby approved.
12. 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.
13. The windows and doors contained within the buildings hereby approved shall be constructed of timber.
14. 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.

15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Wardell Armstrong of January 2012 and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off generated by the site to a maximum of 10l/s so that it will not increase the risk of flooding off-site.
 2. Provision of compensatory flood storage on / or in the vicinity of the site to a 1 in 100 year standard as highlighted in 7.2.2 in the FRA.
 3. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 4. Flood-proofing measures detailed on page 26 of the FRA in the proposed development.
 5. Finished floor levels are set no lower than 67.3 m above Ordnance Datum (AOD).
 6. Details of the access track should be submitted during the detailed design stage
16. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing (Reference Proposed Site Plan & Street Elevation Project no. 1199 Drawing Number 03. Rev F). Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
17. 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.
 - (iii) The approved areas shall be kept available for their intended use at all times that construction works are in operation.
18. Prior to the commencement of the development there shall be submitted to and approved by the Planning Authority after consultation with the Highway Authority the proposals for:-
 - i) The provision of a dedicated vehicle/pedestrian link from the proposed site to the county highway at Levenside.
 - ii) The demarcation of the existing car park to the rear of Union Mill to prevent conflict between existing users and those associated with the proposed development.
19. Prior to the development commencing, a detailed scheme to incorporate energy efficiency and/or renewable energy measures within the design-build which meet 10 percent of the buildings energy demand shall be submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented and retained in accordance with the approved details.

The reasons for the above conditions are:-

1. To ensure compliance with 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 policies CP17 and DP32 of the Hambleton Local Development Framework.
3. To safeguard the visual amenities of the locality in accordance with in accordance with policies CP17 and DP32 of the Hambleton Local Development Framework.
4. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with policies CP17 and DP32 of the Hambleton Local Development Framework..
5. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with policies CP17 and DP32 of the Hambleton Local Development Framework..
6. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with policies CP1 and DP1 of the Hambleton Local Development Framework.
7. In order to protect the amenities of residential property in the locality in accordance with policies CP1 and DP1 of the Hambleton Local Development Framework.
8. In order to avoid the pollution of watercourses and land.
9. In order to avoid the pollution of watercourses and land.
10. In the interest of satisfactory drainage and to avoid pollution of the water environment.
11. In the interest of community safety, to reduce the fear of crime and to prevent, crime and disorder in accordance with the provisions of Section 17 of the Crime and Disorder Act 1998
12. 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 in accordance with policies CP17 and DP32 of the Hambleton Local Development Framework
13. In the interests of the visual amenities of the locality, in accordance with policies CP17 and DP32 of the Hambleton Local Development Framework.
14. To ensure that the development is appropriate to the environment in terms of amenity and drainage.
15.
 - 1) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
 - 2) To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
 - 3) To ensure safe access and egress from and to the site.

- 4) To reduce the impact of flooding on the proposed development and future occupants.
 - 5) To reduce the risk of flooding to the proposed development and future occupants.
 - 6) To ensure that it will not affect existing flood flow routes
16. In accordance with policy CP2 of the Hambleton Local Development Framework and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
 17. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
 18. To provide for footway facilities to serve the development, in the interests of highway safety and the general amenity of the area.
 19. In order to minimise energy demand, improve energy efficiency and promote energy generated from renewable resources in accordance with policy DP34 of the Hambleton Local Development Framework.

6.

11/01300/OUT

Outline application for the construction of up to 213 dwellings, employment use (class B1) up to 2,900 sqm including means of access at White House Farm, Stokesley for Northumbria Land Limited

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 Outline planning permission is sought for the construction of up to 213 dwellings (although 193 dwellings are shown on the indicative masterplan), 2,900 sqm of employment use (B1) including means of access. All other matters are reserved. A masterplan drawing has been submitted with the application showing broad design themes, possible linkages and structured landscaping.
- 1.2 The entire site comprises an area of 8.6 ha, of which a maximum of 0.92 ha is proposed for employment development and a maximum of 6.36 ha is proposed for residential development. A total of 213 dwellings would result in a density of 35 dph.
- 1.3 The submitted "Design & Access Statement" (DAS) describes the vision for the White House Farm site as "a sustainable garden village set in a rural landscape."
- 1.4 Building heights and footprints are generally two-storey to fit within the local context. Some two-and-a-half storey dwellings are shown on the indicative layout to provide a subtle change in scale at the centre of the development. Precise details of the site layout and house types would be submitted at the reserved matters stage.
- 1.5 An outline landscaping scheme has been prepared to inform the detailed landscaping proposals for the future development of the site. Key design elements include: dense native species tree and shrub planting along the western, southern and eastern boundaries of the proposed employment area; significant native species woodland buffer zone along the western edge of the residential area; retention of existing mature avenue trees along Westlands and retention of the existing hedge along the eastern boundary.
- 1.6 Sustainable urban drainage techniques would be employed within the SC1 recreational area to ensure that it is self-contained in terms of surface water drainage.
- 1.7 A comprehensive footpath network would be provided, connecting new development areas into the town and linking existing residential areas to the proposed areas of public open space.
- 1.8 Access to the residential element of the proposed development will be via a roundabout off Westlands. A separate vehicular access is proposed to the employment element of the site, to the south of Westlands. This access will be via a single access road located in a similar location to the existing access of Westlands.
- 1.9 As well as access from the main entrance to the site, dedicated pedestrian and cycle access points are proposed along the eastern boundary of the site. Exact details of these access points will be provided at the reserved matters application stage.

- 1.10 As part of the proposed development two new bus stops are proposed on the southern and northern side of Westlands near to the proposed roundabout entrance to the residential site.
- 1.11 The site is located on the western edge of Stokesley, approximately 1km west of the High Street. The total site extends to 8.6 ha of land immediately to the north and south of Westlands, on the western edge of Stokesley.
- 1.12 The site is bound to the north by fields including land allocated in the Allocations DPD as SC1 'North of Hebron Road and White House Farm' for open space and recreation; to the east by existing residential development along Hebron Road, Leven Road and Riverslea, with North Road and High Street beyond; to the south by open fields and to the west by the lane access to Crab Tree Farm, with open fields and Tame Bridge beyond.
- 1.13 At present the site is used for agricultural purposes as part of the White House farmland and holdings. The main farmhouse and its domestic curtilage associated with White House Farm is located immediately north of Westlands. There are currently dilapidated agricultural buildings located to the south of Westlands where the employment development is proposed, however it is proposed that these will be demolished.
- 1.14 The site is comprised by two allocated sites identified in the adopted Allocations Development Plan Document of December 2010 (SH1 and SE2). To the north of Westlands the site comprises land allocated for housing development (Use Class C3) by Policy SH1 'White House Farm and Crab Tree Farm' and to the south of Westlands comprises land allocated for employment (Use Class B1) by Policy SE2 'White House Farm'.
- 1.15 This application was presented to the Planning Committee on 15 September 2011 as an Agenda Item. Members' initial comments were invited on the application and the following observations were made:-
- Two-storey dwellings as a maximum
 - A desire to see bungalows included in the layout
 - Poor indicative layout – unhappy with linked dwellings
 - Investigate a possible four leg roundabout providing access to the employment area
 - Need for a landscaping management plan
 - Use of reclaimed bricks on the employment buildings
 - Include a central recycling facility
 - Dwellings should be locally distinctive
 - Concerned about vehicular access to Hebron Road
 - Pedestrian and cycle link should link recreation area and surrounding residential areas
 - Don't want pocket parks in layout
 - Clarify car parking numbers

2.0 RELEVANT PLANNING HISTORY

- 2.1 11/01021/SCR - Request for Environmental Impact Assessment Regulations 1999 screening opinion for proposed development (EIA not required – decision issued on 15.06.2011).

3.0 RELEVANT PLANNING POLICIES

- 3.1 In addition to the National Planning Policy Framework (NPPF), the following Development Plan Policies are considered to be relevant to the determination of this application:-

Core Strategy

CP1 - Sustainable development
CP2 - Access
CP3 - Community Assets
CP4 - Settlement hierarchy
CP5 - The scale of new housing
CP5a - The scale of new housing by sub-area
CP6 - Distribution of housing
CP8 - Type, size and tenure of housing
CP9 - Affordable housing
CP10 - The scale of new employment development
CP10a - The scale of new employment development by sub-area
CP16 - Protecting and enhancing natural and man-made assets
CP17 - Promoting high quality design
CP18 - Prudent use of natural resources
CP19 - Recreational facilities and amenity open space
CP21 - Safe response to natural and other forces

Development Policies DPD

DP1 - Protecting amenity
DP2 - Securing developer contributions
DP3 - Site accessibility
DP4 - Access for all
DP5 - Community facilities
DP6 - Utilities and infrastructure
DP8 - Development Limits
DP13 - Achieving and maintaining the right mix of housing
DP15 - Promoting and maintaining affordable housing
DP16 - Specific measures to assist the economy & employment
DP18 - Support for small businesses
DP29 - Archaeology
DP30 - Protecting the character and appearance of the countryside
DP31 - Protecting natural resources: biodiversity/nature conservation
DP32 - General design
DP33 - Landscaping
DP34 - Sustainable energy
DP36 - Waste
DP37 - Open space, sport and recreation
DP38 - Major outdoor recreation
DP39 - Recreational links
DP43 - Flooding and floodplains

Allocations DPD

Policy SH1 – White House Farm & Crab Tree Farm, Stokesley (6.6ha)
Policy SE2 – White House Farm, Stokesley (0.8ha)
Policy SC1 – North of Hebron Road and White House Farm (3.9ha)

National Planning Policy Statement – adopted 27 March 2012

4.0 CONSULTATIONS

Stokesley Parish Council

- 4.1 Would like to see 50% affordable housing that is made available to local residents or people with links to the community. Stokesley needs two-bed properties for first time buyers.
- 4.2 There should be no manufacturing units and no businesses that would create noise.
- 4.3 The new bus stop adjacent to the proposed roundabout is not a good idea and maybe a roundabout at the junction of Thirsk Road and A172 would help to keep traffic out of the town.
- 4.4 The travel survey was carried out during one of the hardest/coldest winters on record for Stokesley so significantly fewer people would have been travelling on that day compared to a similar day 4 or 5 months later.

NYCC Highways

- 4.5 No objections subject to conditions.

Northumbrian Water

- 4.6 No comments received.

Environment Agency

- 4.7 No objections subject to conditions.

HDC Environmental Health Officer

- 4.8 It would be prudent to confirm the nature of any farming activity at Crab Tree Farm to ensure that activities at this existing business are not likely to impact on the amenity of subsequent occupiers of the proposed development.
- 4.9 Consideration would need to be given to the design of the pocket park, and woodland areas to ensure that they do not become a focus for anti social behaviour
- 4.10 Care would need to be exercised in the use of the commercial starter units to ensure they are compatible with neighbouring residential use.

HDC Senior Scientific Officer

- 4.11 The report indicates that the site has previously been used predominantly for agricultural purposes. The report does not highlight any obvious sources on contamination that could affect the end user.
- 4.12 The report recommends a Phase 2 Intrusive Investigation, to include testing for contaminants in soils. Gas and groundwater monitoring standpipes are also recommended as part of the intrusive site investigation although the report does indicate that preliminary ground gas assessment is low risk.
- 4.13 Given the development proposals include a sensitive end use of residential dwellings I would recommend that a comprehensive site investigation be carried out, with detailed proposals submitted in writing to the Local Planning Authority, prior to development commencing. Failure to submit proposals may result in additional works being required if the investigation is deemed inadequate.
- 4.14 This information should, ideally, be submitted prior to determination, however I am satisfied that the addition of the contaminated land condition would be appropriate on this occasion.

NYCC Education

- 4.15 No shortfall in school places, therefore no contribution sought.

NYCC Historic Environment Team

- 4.16 The proposed development lies within an area of high archaeological potential. Archaeological evaluation undertaken on this site by Archaeological Services Durham University in response to pre-application advice, revealed archaeological remains.
- 4.17 Archaeological deposits were identified in evaluation trenches mainly in the southern part of the site. Ditches and gullies and a large pit relating to possible medieval enclosures and settlement were recorded in trenches 9 to 12. Flint tools, including an end scraper of probable Late Mesolithic/Early Neolithic date, indicate prehistoric activity in the vicinity. Pottery was recorded dating mainly between the 13th and 15th centuries with one possible Saxon piece, and Palaeo-environmental assessment has shown deposits which appear to be typical for a medieval/post medieval settlement.
- 4.18 The evaluation indicates that the southern part of the site has high archaeological potential of significance; therefore ground works associated with the proposed development have the potential to disturb or destroy archaeological deposits across this part of the site. I would therefore, support the recommendations given in the report submitted by Archaeological Services Durham University that a targeted program of excavation, monitoring and reporting be focussed on the southern part of the site followed by post excavation analysis.
- 4.19 The northern part of the site, however, has a lower archaeological potential and therefore I would advise that an archaeological watching brief be carried out on all ground disturbing works associated with this part of the development.
- 4.20 I would advise, therefore, that a suitable scheme of archaeological recording should be undertaken over this site/area in response to the proposed development. This is in order to ensure that a detailed record is made of any deposits that will be disturbed.
- 4.21 In order to secure the implementation of such a scheme of archaeological recording, I would advise that the following condition be appended to any planning permission granted:
- 4.22 “No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.”

North Yorkshire & York NHS – Primary Care Trust

- 4.23 No objections to the plan and will be happy to work with the Council and the developers to assess any impact on local health provision if plans progress further. Any population increase from the development is likely to be modest and would most likely be absorbed by capacity within the existing local GP practices.

Police Architectural Liaison Officer

- 4.24 *Recommendation 1* – the proposed development should attain “Secured by Design” certification.
- 4.25 *Recommendation 2* - the Design & Access Statement should be amended to explain how crime prevention measures have been considered in the design and how the design reflects the attributes of safe, sustainable places.

- 4.26 *Recommendation 3* - This estate should remain entirely within its own boundaries and not be linked to the existing estate either by road or footpath.
- 4.27 *Recommendation 4* - Car parking should be within the curtilage of the house and at the front of the house.
- 4.28 *Recommendation 5* - Play areas should be fenced and gated and sited a minimum of 10m from the nearest house. The play areas should have an 'Order' placed upon them for what age group the play area is for and be signed accordingly. The two doorstep play areas should be deleted due to their close proximity of the housing and the anti-social behaviour and noise that will come with them and redesigned and replaced elsewhere on the estate.
- 4.29 *Recommendation 6* - Is there a need for a recreational footpath at the extreme western edge of this estate? If the answer to that question is no, then recommend that the footpath be removed from this application. If this footpath is to remain, then strongly recommend that northern access roadway by Pot 103 not be linked into this footpath. There is already access to this footpath from the northern end of the estate just a few metres away.
- 4.30 Also recommend that the road link to this footpath adjacent to plots 87 & 90 also have the link removed to this footpath as there is a parallel roadway close by.
- 4.31 *Recommendation 7* - the suggested car parking is remote from the office building. The site should be designed whereby the owner's vehicles are immediately adjacent to the office or workshop. The whole site should be fenced off and there should be a communal access control onto the site for the workers and for deliveries, thereby giving a locked access overnight.

Natural England

- 4.32 This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
- 4.33 Based upon Natural England's standing advice, the Council is guided that permission may be granted subject to appropriate conditions including a detailed mitigation and monitoring strategy for bats and that biodiversity enhancements for reptiles (e.g. creation of habitat linkages) should be secured via conditions.

Yorkshire Wildlife Trust

- 4.34 The Trust is pleased to see that a reasonably thorough and good quality ecological survey has been carried out for the site. Some sources of information have not been used which would improve the document. These include the North Yorkshire Bat Group which has extensive records of bats in North Yorkshire.
- 4.35 The Trust supports the conclusions of the bat survey that a protected species licence will be required and significant mitigation will need to be put in place. The ecological report and the Design and Access statement both state that habitat will be improved for bats and wildlife in general. However the woodland planting does appear to be focused on providing screening for the development rather than enhancement for biodiversity and connecting into the wider landscape. There are a number of further ways in which the site could be improved for wildlife. Opportunities to connect up the open spaces within the development to hedgerows and field margins in the wider countryside should be taken. There will also be areas which could be suitable for species rich grassland or wildflower meadows.

- 4.36 It is also possible to enhance Sustainable Urban Drainage Systems for biodiversity and this should be explored also.
- 4.37 The Trust would hope that final landscape plans provide improved biodiversity and also include a funded management plan which will ensure that habitat will be created and enhanced in the long term. The authority will then be fully compliant with PPS9.
- 4.38 In conclusion:
- The ecological report could be improved with more local data.
 - The Trust would recommend that all possible opportunities are taken to enhance the development for biodiversity.
 - A long term habitat management plan which is sufficiently funded should be part of the s106 agreement.

The Ramblers Association

- 4.39 No objection to the housing development, however the density appears to be high.
- 4.40 A designated cycle way / footpath of some scenic value should be available from the estate centre on the shortest route into Stokesley High Street.
- 4.41 The presence of the clapped out buildings south of the Stokesley to Hutton Rudby road should be external and separate to the proposal. The development of these buildings for light industrial use is incongruous to its situation. It should be on a brownfield industrial estate.

Network Rail

- 4.42 No observations.

Publicity

- 4.43 The application was advertised within local press, by site notices and directly to the neighbouring residents. The statutory period for replies expired on 29th August 2011. 30 objections, 2 supporting representations and 3 general representations have been received and are summarised as follows:-

Need & Location of New Housing

1. New housing is not required. There is always a good turn over of housing properties available in Stokesley, so there doesn't seem to be a shortage of properties for sale in the area.
2. The housing development will spoil Stokesley and just turn it into another satellite suburb of Middlesbrough.
3. Will the houses sell in the current economic climate?
4. Surely there must be lots of brownfield sites available for building before new greenfield sites?
5. New dwellings should be built in the northern part of the town.
6. There are brownfield sites within minutes of Stokesley which would satisfy genuine need.
7. Given climate change and other environmental concerns, surely more

thought should be given to the siting of housing developments on this scale, particularly on valuable farm land which could be put to better use.

8. Brownfield sites on Station Road would be a cheaper option for affordable housing, whilst not alleviating traffic problems but leaving farm land for farming.
9. Too great an increase to the size of Stokesley. We should learn from nearby towns like Yarm and Ingleby Barwick where over development has significantly reduced the quality of life for the existing residents.
10. The Council should embark on a completely new town and not allow the existing historic settlements like Stokesley, Northallerton and Thirsk to be compromised.
11. Do not want to see Stokesley turned into another Guisborough or Yarm. Stokesley is a small typical Yorkshire market town with excellent facilities. Please don't spoil it for the future generations as we have something special here.
12. We have already the biggest housing estate namely Ingleby Barwick, the largest in Europe and question why 8 miles down the road we need more houses.
13. The District and County Council have made no provision for additional roads and have allowed enclaves of housing to be built without them interlinking with the original Town Centre and should not have included this site in the LDF.
14. A further solution is to split the total number of houses into several locations
15. This land historically has been farmland and should stay as farmland.
16. The proposed site plan extends further to the west along Westlands than the area of land shown in the Local Development Framework as being available for residential development. I realise that part of this appears to be a landscape strip, however that in itself is a change of use and not a use of land envisaged in the LDF process. Suggest that it would be more appropriate to draw the boundary of the development site on the LDF plan lines.

Need & Location of New Employment Uses

17. There is no demand for additional business or office premises.
18. There are plenty of unoccupied business premises in Stokesley Town Centre and on the industrial estate.
19. Any business premises should be on brownfield sites, preferably adjacent to the existing industrial estate.
20. The location is not suitable for business premises.
21. Although the industrial development is proposed for light use/start-up businesses, this could spread across the whole field in the near future with many car, van and truck movements to blight the area. Once the precedent has been set, there is a danger that it will open up the area to further development.
22. The existing buildings should be adapted and modernised.

Impact on Character of Stokesley

23. Stokesley is part of the gateway to the North Yorkshire Moors and other tourist areas and needs a sensitive and imaginative approach not urbanisation.
24. Stokesley is a picturesque market town with character, open space and fantastic views of the hills, this development would be a blot on the landscape.
25. A significant sudden increase in population will be irrevocably detrimental to Stokesley's charm and atmosphere.
26. The proposed development will have a detrimental effect on the visual amenity on the approach to the Town along a country unclassified road and from the higher ground at Seamer and the Cleveland Hills.

Impact on Services & Amenities

27. The addition of 213 households would put enormous strain on public services in Stokesley, including schools, leisure centre, and doctors. Has any assessment been carried out of the overall impact on demand for services, taking into account the total increase in population planned? Our schools and doctors do not have room to extend and overcrowding them is going to reduce their quality, which in turn will decrease the standard of living in this area.
28. Schools will not be able to cope with additional demand. This must be subsidised by the new dwellings.
29. The Primary School is already full to capacity, with temporary classrooms in the playground and no room for more. Is a completely new Primary School planned?
30. Can the health centre and doctors accept additional patients, bearing in mind that this is not the only housing development planned for the near future.
31. The Health Centre has increased its facilities and numbers of GPs over the years. The current premises are already at full capacity. Is a new, larger Health Centre planned?
32. Additional housing on the scale proposed will put more pressure on the High Street shops and businesses which are difficult to expand without lessening the quality of the High Street environment and this must determine the growth and size of the town.
33. Unless a new health centre is built we will have melt down.
34. In a time of shrinking police budgets the additional number of residents and visitors to the area as a consequence of the housing and industrial estate development cannot be serviced by the police. Any monies raised through the police percept will be spent on policing North Yorkshire as a whole and will not necessarily be used on locations where the monies have been raised from. Cleveland Police will not provide the extra policing needed. This will stretch local policing capacity beyond current capability.
35. The existing supermarket cannot and doesn't service the town adequately. The majority of people travel to other towns for the weekly groceries, due to the ones in Stokesley being too small and very expensive.
36. This development could have an adverse effect on the businesses already in the High Street. People will be put off coming to Stokesley if it becomes more congested and parking becomes even worse (which it undoubtedly will).

Highway Safety, Layout & Traffic Generation

37. There will be increased traffic causing congestion especially at the junction of White House Farm and the main thoroughfare along with the increase traffic throughout Stokesley.
38. The Hutton Rudby to Stokesley Road is already used by vehicles from Seamer and Tame Bridge and is a very busy road, to allow the proposed development of 213 dwellings and the likely vehicles both at the time of construction and afterwards is completely unacceptable. Traffic is already heavy throughout the day and turning right out of Riversdene often means waiting 2 to 5 minutes.
39. It is doubtful if Stokesley can accept the additional volume of vehicles whether moving through the High Street or finding a parking space.
40. Stokesley/Seamer road will become a "rat run" for commuting traffic (known to be speedier than going via High St and Springfield).
41. Stokesley traffic is already congested, especially at the "bottleneck" outside Westend.
42. This development would lead to further congestion in an already congested area, especially on West End between Allen Grove & Thirsk Road where, because of cars parked outside houses, there is almost a permanent "one stream traffic system". Yellow lines required here?
43. A roundabout at the junction of Westlands & Riverslea would help to slow down vehicles which often speed along Westlands in both directions.
44. The High Street (and car parks for public facilities) is already extremely congested and often difficult to park on. Are we to end up with a Yarm situation?
45. The housing development is far too large; 213 houses could result in another 800 to 900 people and an extra 300 to 400 plus cars to add to the extra traffic from the industrial development.
46. The extra traffic from these developments in the morning and evening, and especially the school run, will make it extremely difficult to pull out onto Westlands in a car.
47. Crossing Westlands when walking into town is already difficult with the amount and high speed of the traffic.
48. Traffic to both the residential and commercial elements of the proposed development will be primarily from traffic entering the Stokesley area from the north or south of the town, rather than from the western approach to the town. For traffic from the north two alternative routes exist. The first is through the town centre which would increase traffic levels in an already congested location. The second, alternative, route would be to use the by-pass to the east of the town. However, this would involve a right turn from the southbound A172 on to Thirsk Road at Bense Bridge. The risk of slow moving vehicles crossing fast moving traffic at Bense Bridge has already been recognised by the Highways Department. Both routes converge at the point where West End meets Thirsk Road. The road immediately to the west of this junction (Westlands) is relatively narrow and the width is at most times of day further constrained by several parked cars on the road in front of the terraced row of houses. There has been an accident here in the last few months as traffic sought to squeeze past each other. The increase in traffic, compared with

present levels based on current agricultural use, is only likely to increase the risk of further accidents at both the above locations. The current western approach to Stokesley is characterised by the agricultural and residential nature of the buildings. This would be adversely affected by the proposed commercial development – a point that the developers recognise given their efforts to seek to screen the development.

49. The High Street has become increasingly dangerous, particularly for the elderly, with traffic queues, motorists looking for spaces or leaving spaces. Even Police parking is targeted with everyone desperate to park. What is the answer to this if the new development proceeds? Is there going to be new [very expensive] out of town parking? Is a ring road going to be necessary? Or a multi-storey car park on West Green? Police have already had to be called out because motorists have parked in front of the Fire Station or along Levenside, thus preventing access of emergency vehicles.
50. The proposed development is sufficiently far from the Town Centre to encourage most of the residents to use a vehicle to take children to the schools, health centre and shopping which will result in further parking difficulties and traffic hold-ups than already exist.
51. There appears to be no dedicated cycle access to town and school included. Again this will increase car use locally to the detriment of the environment and the character of Stokesley. The pedestrian & cycle access described in the travel plan will have no meaningful effect on cycling locally.
52. Riversdene & Riverslea have no safe crossings to town. The increased traffic will compound this problem and increase danger for children and vulnerable adults.
53. The road which is initiatively shown constructed from a new roundabout located on Westlands. This scheme is merely Phase 1 of a much larger scheme involving land lying to the north and east of this site and, at this stage, although that remaining land is not currently phased for immediate development the road access should be designed to capable widths and with all other features (service channels, pop diameters etc) in order to serve those additional sites.

Affordable Housing & Housing Mix

54. How many of the 193 houses are going to be affordable houses? This is what Stokesley really needs to keep our younger people here.
55. What sort of housing is being proposed? Small first time buyer property or more overpriced "lets make a quick buck" property?
56. We are aware of the need for more housing and for younger people to find affordable property. However, job opportunities in Stokesley are limited; cars are needed to get to available jobs. If 70% of the proposed development is given over to 3/4 bed semi/detached houses it is difficult to see these being affordable for those on low incomes or first time buyers.
57. Failure of the proposed housing development to meet already identified local needs
58. Affordable housing should be nearer to the town centre.
59. Additionally the proposed mix of housing, with fewer than 15% being two-bed dwellings does not address the already identified need for low cost housing in the area. The provision of over 40% of the development being 4 bed houses

only exacerbates the supply of this type of house in recent housing developments in Stokesley.

Drainage & Flood Risk

60. Sewage can be problematic at present, increase in rain water drainage, presumably into the River Tame which has already been badly affected by the Tameside development causing rapid level rises following rain.
61. The sewerage system is inadequate already and has not been updated for years.
62. The proposed extra sewage could cause appalling problems.
63. Problems at the sewage pumping station on Riverslea frequently require attention even now and with increased housing, matters will only get worse.
64. The White House Farm area is not on a flood plain. This we find very hard to credit, as did many other residents who live nearby, since their insurance premiums reflect the fact that their houses are certainly on a flood plain.
65. The proposed location of the office development is on land which, since the implementation of the Stokesley Flood Relief Scheme, has flooded several times. The last occasion on which it flooded was in 2000 and we have previously forwarded a copy of a photograph taken at that time to North Yorkshire County Council which shows the flooding of the site after only about one day's rain.
66. Both sites are on known areas liable to flood in heavy rain such as we have had in the past few years. If this area is concreted over, where will the extra water go? You have to realise that Stokesley flooding comes from the town area and not from the river up into the residential areas.
67. The need for large attenuation tank will be expensive.
68. Will cause increased flooding as the River Tame regularly breaks its banks now without all the run off from the development.

Consultation

69. Concerned about the lack of notification local people have received and how the advertisement of these plans has amounted to small adverts in windows.
70. Question the timing of consultation ie: during the holiday period when people are away and therefore unable to protest or gain knowledge about the situation.
71. There appears to be a widening gap between listening and hearing in local authority circles where the need to balance the books gives the building industry an overpowering advantage over the individual taxpayer.
72. There has been a lack of effective pre-application consultation with local people.
73. Consultation for this site has been incomplete. Not just the Tame Bridge area but also other nearby residents adjacent to the site.
74. There is much anecdotal evidence of residents not being aware of the proposed development.

75. There is serious doubt over how many neighbouring residents actually received notification through the post. Found out two days ago because a resident wrote to the Darlington & Stockton Times in desperation.
76. If local people, who read local press and spend time in Stokesley town centre, were not aware, something has gone disturbingly wrong with the consultation process.
77. At the very least, the period for public consultation should be extended to allow effective advertisement of the proposal, and give all the opportunity to comment.
78. Have not been able to give a full and measured response as minimal time has been given to respond.
79. The proposed development has been pushed through with minimal publicity and public discussion.
80. The notice board in Tame Bridge has not advertised notices about development.
81. Does the Localism Act ostensibly provide scope for the local community to have an effective voice?

Vehicular and Pedestrian Links

82. Any consent granted for residential development on the application site (site SH1 in the adopted Hambleton Allocations DPD) should incorporate an explicit requirement for the eventual developer of that site to provide, within an acceptable timescale, an appropriate access through the application site, from Westlands up to its common boundary with sites SH2/SC1 so that SH2/SC1 can be delivered for the mix of housing open space identified within the adopted Allocations DPD.
83. The current planning application for development of White House Farm and its various supporting documents makes little mention of the need to provide an access link through the site to SH1/SH2. There are some passing references in the Design & Access Statement.
84. The potential for a link through to SH1/SC1 is also shown on certain 'context' diagrams, however there is no mention of it in the sections on Understanding Context, Design Principles, and Assessment Against Design Planning Policy, and the Illustrative Masterplan only shows a potential road link stopping well short of the common boundary with SC1/SH1.
85. In this regard therefore the current planning application fails to comply with the adopted LDF policy context by not demonstrating unequivocally, and as part of the submission, that the development proposed on the application site will also deliver the required access link that will enable sites SC1 and SH1 to come forward for development as per the adopted DPD. This omission must mean that the District Council can have little confidence about the applicant's willingness to deliver such a link and the importance therefore of the Council ensuring that such a requirement is formally built into any consent it may grant.
86. The Council must ensure that it does not lose its ability to control the release of housing land and delivery of new housing in Stokesley. Any consent granted on the basis of the current submission without adequate safeguards over the provision and timing of the access road across SH1 up to the common

boundary with allocations SC1/SH2, would be contrary to the Development Plan and fundamentally flawed.

87. Suggest that any approved is granted subject to a condition or s106 obligation covering the construction and timing the delivery of the link road to the SC1/SH1 boundary. It is recommended that the condition or s106 requires that this link is completed and adopted by the Highways Authority prior to the completion of the 150th dwelling on site or December 31st 2017 whichever is the earliest. This will ensure there is an adequate lead-in time to secure planning consent for development on SH2 and to ensure the delivery of the first dwellings on SH2 in 2021.
88. This application should not constrain possible further development to the north of Stokesley. In particular the spine access road should have sufficient capacity to support any additional development and no ransom strips should be created that might hinder additional development.
89. There is a "ransom strip" at the Tameside end (the eastern end) of this land as it is. As it happens that ransom strip appears to be in the same hands as the land within the current application. The intervening land can be adequately served from The Stripe and Hebron Road, however this is not the optimum solution and in planning terms it would be better to adhere to the original "scheme".

Employment

90. Most employment will be found in the Middlesbrough or Stockton area and any local job creation will be miniscule by comparison.
91. Where will the people living on the proposed estate work? Most will be commuting over 10 miles to Teesside, Northallerton or further. Houses should be built close to jobs to minimise the need to commute.

Other

92. White House Farm is over 100 years old and demolition of the buildings is not justified.
93. Property values will be reduced.
94. Previous applications, including a waste site and nursing home have been refused for this land and this application should also be refused.
95. A local Councillor stands to benefit from the scheme and therefore residents are concerned that local views will not be properly considered.
96. The older residential estates in the town are greatly in need of major maintenance. The Council needs to look after the existing estates first e.g. Riversdene/ Riverslea estate is in desperate need of tree management, road and footpath repairs. Each new development disadvantages and not enhances the position of current residents.
97. The motives for the development do not have Stokesley's best interests at heart. It is wholly money orientated.
98. If Councillor Caroline Seymour, as a member of the RSS committee, voted on any aspect of the planning relating to White House Farm. Did other members of the Committee have a declared interest?

99. Police express concerns over footpath links to streets in Stokesley where there are high incidents of crime.
100. It would appear that White House Farm will be demolished. Although it is probably not of any great historic significance, it does seem a shame to destroy a perfectly good home.
101. It seems that the application is for two distinct sites, one for housing and one for a change of use of the existing farmstead – these should be separate applications.
102. Stokesley lacks accessible Public Open Space. The plans include a "Doorstep play area". Locally these have a history of being not maintained and poorly used.
103. The only benefits will be to those who profit from selling the land and the development contractors. In other words not the local community

Support

104. This application follows extensive consultation with both the parish council and local people at 3 public meetings.
105. The present farm buildings are an eyesore & to replace them with other buildings would be a positive move.
106. The proposal has been through the planning consultation process. The developers were even more inclusive in their consultation.
107. It provides additional housing in a much needed location to fulfil the planning authority's requirements.
108. It is the only site available which is not subject to flooding.
109. The road system is not one which is overloaded and the roundabout will add an additional enhanced safety element to the Hutton Rudby road.
110. So long as there is affordable housing and the s106 is provided for enhancements of the area this should be passed by the Planning Committee.
111. I find little planning force in the objections to this proposal and adequate consultation was provided.

5.0 OBSERVATIONS

5.1 The main issues to consider in the determination of this application are matters relating to: -

- a) Location of New Development
- b) Design, Density & Housing Mix
- c) Sustainable Construction
- d) Transport Issues
- e) Vehicular & Pedestrian Links
- f) Drainage & Flood Risk
- g) Ecology
- h) Trees & Landscaping
- i) Infrastructure & Services
- j) Cultural Heritage
- k) Public Open Space

l) Affordable Housing

Location of New Development

- 5.2 The LDF Core Strategy was adopted in 2007 and provides the basis for the scale and distribution of new development within Hambleton. Following this the Submitted Allocations DPD identifies sites to meet and deliver the targets and objectives as set out within the Core Strategy.
- 5.3 To this end, the housing element of the application site is allocated within the submitted LDF Allocations Development Plan Document as Site SH1. This site is allocated for housing development in Phase 1 (up to 2016) and Phase 2 (2016-2021) subject to:
- i) a density of approximately 35 dph resulting in a capacity of around 213 dwellings (of which a target of 50% should be affordable);
 - ii) housing types meeting the latest evidence of local needs;
 - iii) suitable and safe access being provided from Westlands (with secondary access point from Hebron Road sufficient to serve the development at SH1 and SH2);
 - iv) contributions from the developer towards providing improved cycle and footpath links, provision and equipping of recreation land at Site SC1, and upgrading of the potable water network;
 - v) contributions from the developer towards the provision of additional school places and local health care facilities as necessary;
 - vi) no residential development taking place within areas of potential flooding; and
 - vii) significant landscaping along the western boundaries of the site.
- 5.4 The employment element of the application is allocated within the Allocations DPD as Site SE2. The site is allocated for employment uses (B1) subject to:
- i) development comprising small high quality employment starter units;
 - ii) access to the site being taken directly from Westlands;
 - iii) provision of landscaping at the western and eastern boundaries
 - iv) contributions from the developer towards providing improved footpath and cycleway links to Stokesley town centre and to Great Ayton, improvements to public transport infrastructure and, if necessary, upgrading of the potable water network to enable a suitable supply to be made available to the new development; and
 - v) no development, other than essential infrastructure and water compatible uses, should take place within Flood Zone 3b, as defined by the Environment Agency Flood Maps.
- 5.5 Several local residents have raised objections to the merits of the site allocation and argue that alternative sites should have been allocated within Stokesley. These arguments were considered in full at the Examination in Public into the Allocations DPD in May 2010. The Inspectors found the Allocations DPD to be sound and it was subsequently adopted by the Council in December 2010. It is therefore not appropriate to revisit the principle of the site allocation via the planning application process.
- 5.6 The submitted application is considered to substantially accord with the locational principles of the Allocations DPD and no other material considerations would lead to a different conclusion. In light of the above planning policy background, the location of the proposed housing and employment developments are considered to be acceptable.

Design, Density & Housing Mix

- 5.7 The application is submitted in outline form and therefore the detailed design (including the impact on neighbours) and density will be determined at a later date through the submission of reserved matters applications.
- 5.8 Notwithstanding the need for future reserved matters applications, an indicative masterplan has been submitted with the application and how a development of appropriately 193no dwellings and 2,900 sqm of employment floorspace could be designed. Officers, Members and local residents have all been critical of the proposed masterplan and therefore any future reserved matters applications should readdress the site layout. Whilst the principle of creating a “garden village” reflecting local vernacular is supported, this principle has not be transferred to the indicative masterplan and significant changes would need to be undertaken before a consensus of support is forthcoming.
- 5.9 Again, the housing mix will be determined through the approval of later layout, scale and appearance reserved matter applications. However, the Applicant envisages the site as being suitable for a mix of housing aimed at families and therefore principally 2, 3 and 4 bedroom detached and semi detached houses. This approach is generally supported.

Sustainable Construction

- 5.10 Policy DP34 of the LDF requires all developments of 10 or more residential units to address sustainable energy issues, by reference to accredited assessment schemes and incorporate energy efficient measures which will provide at least 10% of their on-site renewable energy generation, or otherwise demonstrate similar energy savings through design measures.
- 5.11 The Applicant has confirmed a willingness to explore opportunities through which 10% of the site’s energy requirements will be from on-site renewable sources, although no firm proposals have been submitted with the application.
- 5.12 Consequently, in the event that Members are minded to grant planning permission, it is recommended that a suitably worded condition be applied to secure a scheme for suitable design improvements and/or the installation of suitable renewable energy technologies.

Transport Issues

- 5.13 A Transport Statement (TS) produced by White Young Green was submitted with the application. The TS examines the transport related impacts of the proposed redevelopment. Access to the site by all modes of transport has been fully considered with both positive and negative impacts and mitigation measures identified. The TS concludes that the additional generated traffic can be readily accommodated on the local road network such that no mitigation measures for capacity or safety reasons are required.
- 5.17 Following an appraisal of various site access options, a roundabout serving the housing element and a priority junction serving the employment element were chosen as the most suitable options. In terms of safety, the proposed roundabout access offers the following benefits:
- a) It will slow traffic down upon the western approach to Stokesley from the current situation as vehicles negotiate the roundabout;
 - b) It will facilitate continued traffic movement as opposed to a light controlled or uncontrolled junction arrangement;
 - c) It provides sufficient capacity to serve SH1, SE2 and SH2;

- d) It will operate at only approximately 40% capacity and therefore will easily be able to accommodate the vehicles generated by the proposed development as well as any further future development in the area;
 - e) It will reduce the impact on high value trees on the site frontage
- 5.18 An emergency access road is also proposed from Hebron Road.
- 5.19 Detailed capacity assessment has been undertaken for the site and for 7 junctions in the local highway network surrounding the proposed development. The performance of all 7 junctions has been assessed in a design year of 2022 with the full development in place. The High Street/ Springfield/ Helmsley Road roundabout operates over capacity in a design year of 2022 in a “No Development” and “With Development” scenario but with the removal of road markings at the approaches to the roundabout, the entry widths increase and consequently the junction performs efficiently with full development in place. The remaining 6 junctions operate efficiently with full development in place in 2022. The traffic impacts on the outlying villages of Seamer and Crathorne is expected to be small to negligible.
- 5.20 Paragraph 4.7 of the TS states that a footway will be provided on the south side of Westlands to provide access to the employment land, which will connect to the footway on the north side via the western pedestrian refuge at the proposed roundabout. Paragraph 4.8 of the TS confirms that two pedestrian/ cycle routes will be provided to the east of the residential area connecting to Hebron Road and providing quick, direct links toward the town centre.
- 5.21 Policies SH1 and SE1 of the Allocations DPD requires a contribution towards improving to the wider Stokesley Town Centre to Great Ayton footway and cyclepath network. However, work on this project has stalled significantly and no costings have been formulated by the Council. Therefore no contribution will be sought in relation to this application.
- 5.22 England & Lyle have submitted an objection on behalf of Taylor Wimpey. E&L argue that any consent granted for residential development on the application site (site SH1 in the adopted Hambleton Allocations DPD) should incorporate an explicit requirement for the eventual developer to provide, within an acceptable timescale, an appropriate access through the application site, from Westlands up to its common boundary with sites SH2/SC1 so that SH2/SC1 can be delivered. It is agreed that the eventual developer should be required to provide an appropriate access through the application site within an acceptable timescale. This objective can be secured via the imposition of a Grampian style condition.
- 5.23 The Local Highway Authority has raised no objections to the application.

Drainage & Flood Risk

- 5.24 Policy DP43 of the Development Policies DPD outlines the Council’s approach to development and flooding and states that development will only be permitted if it has an acceptably low risk of being affected by flooding assessed against the Environment Agency’s flood zone maps, other local information and where all necessary mitigation measures on or off site are provided.
- 5.25 A Flood Risk Assessment (FRA) produced by Billingham George & Partners has been submitted with the application. The FRA confirms that the proposed housing development, as shown by the illustrative layout, is located within Flood Zone 1 and therefore not at risk of flooding. However the proposed commercial area, to the south of Westlands, slightly encroaches into Flood Zone 2. As a precaution all floor levels of the proposed development should be set at or above 65.30 AOD giving 150mm freeboard over the maximum 1 in 1000 year predicted level including 30% climate change.

- 5.26 A number of local residents have raised concerns about the ability of the local drainage system to accommodate the additional foul and surface water drainage. Surface water discharge rates from the site will be restricted by attenuation. It is proposed to drain surface water from the new development, subject to approval to the River Tame which is located approximately 282m West and North of the site. An appropriate method of both foul and surface water drainage can be secured via a Grampian style planning condition.

Ecology

- 5.27 Policy DP31 of the LDF states that 'Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation...Support will be given...to the enhancement and increase in number of sites and habitats of nature conservation value'.
- 5.28 An Extended Phase 1 and Protected Species Survey produced by E3 Ecology has been submitted with the application. The ecological assessment confirms that the site is of low ecological value. However, a bat roost has been identified within the existing buildings to the south of the Westlands. Appropriate mitigation measures are proposed to allow the redevelopment of this part of the site, such measures would be secured via condition and include:
- Prior to any works to the traditional farm buildings commencing a development license from Natural England must be obtained.
 - Works to the farm house will be completed in accordance with a bat method statement.
 - Creation of a replacement roosting structure within SE2, capable of supporting a small (less than 20) common pipistrelle maternity roost.
 - 15 bat boxes will be installed in trees around the margins of the site to offset the potential loss of roosting provision within the farm buildings.
 - All work to buildings and trees on site will follow an agreed Natural England bat method statement.
 - Demolition of buildings and removal of any hedgerows, trees and tall ruderal vegetation will be timed to avoid the main bird breeding activity period (March to August inclusive).
 - Retained trees of over 100 mm trunk diameter, and/or of significant ecological value, are protected by barriers. Barriers must prohibit construction works in the area between it and the tree trunk.

Trees & Landscaping

- 5.29 A 'Pre-development Arboricultural Survey & Tree Constraints Plan' produced by Elliott Consultancy has been submitted with the application. The report concludes that the re-development of the site should be undertaken without significant detriment to valuable trees on site or around the periphery of the site on adjacent properties, and it would be expected that the site can be utilised whilst providing tree protection in accordance with BS5837 'Trees in Relation to Construction' 2005.
- 5.30 All trees along the site frontage with Westlands will be retained with the exception of T7 which is an over-mature Beech in poor condition. The tree is infected with a decay causing failure from the base and has previously been noted as a hazardous tree adjacent to the highway. The tree should be removed regardless of development within the site. Elsewhere, it is proposed to remove T26 Ash, T30 Lime and T31 which are all in poor condition.
- 5.31 It is recommended that following initial design, an Arboricultural Implications Assessment of the proposed design is undertaken, and an Arboricultural Method

Statement and Tree Protection Plan should be produced to supplement the final planning submission. These documents will detail the methodology for the implementation of any aspect of the development that has the potential to result in loss or damage to a tree and will show all finalised layout proposals, tree retention and protection measures.

- 5.32 Finally, criterion vii) of Policy SH1 of the Allocations DPD requires “significant landscaping along the western boundary of the site.” Both the DAS and the Landscape Statement confirm the principle of a significant landscaping buffer along the western boundary of the site where the housing development would otherwise be visible from Westlands. The Landscape Statement confirms that this would result in positive landscape impacts over the current situation.

Infrastructure and Services

- 5.33 Policy DP5 of the Development Policies DPD on community facilities advises that support will be given to the provision and enhancement of community facilities with a view to maintaining sustainable communities. Policy DP6 on utilities and infrastructure seeks to ensure new development is capable of being accommodated by existing or planned services
- 5.34 A number of local residents have raised concerns about the impact on existing and planned services, including: dental care, doctor’s surgeries, policing etc. Consultation was undertaken with a broad range of service providers during the Allocations process and no in principle objections were received from service providers.
- 5.35 Whilst the concerns of local residents are acknowledged, service providers tend to adopt a reactionary to service delivery rather than a pro-active approach and generally allocate resources when the need arises. Whilst the aim of the planning system is to promote sustainable development and economic growth, it can only go so far in co-ordinating service delivery. Ultimately, it is the responsibility of service providers to plan effectively for the needs of the existing and future community. The Primary Care Trust has confirmed that local surgeries will be able to cope with demand whilst North Yorkshire County Council has confirmed that existing schools will be able to cope with the demand for additional school places.

Cultural Heritage

- 5.34 Paragraph 129 of the NPPF states that “where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”
- 5.35 An “Archaeological Evaluation” produced by Durham University’s Archaeological Services has been submitted with the application. The report concludes that the development lies within an area of high archaeological potential
- 5.36 Archaeological deposits were identified in evaluation trenches mainly in the southern part of the site. Ditches and gullies and a large pit relating to possible medieval enclosures and settlement were recorded in trenches 9 to12. Flint tools, including an end scraper of probable Late Mesolithic/Early Neolithic date, indicate prehistoric activity in the vicinity. Pottery was recorded dating mainly between the 13th and 15th centuries with one possible Saxon piece, and Palaeo-environmental assessment has shown deposits which appear to be typical for a medieval/post medieval settlement.
- 5.37 The evaluation indicates that the southern part of the site has high archaeological potential of significance; therefore ground works associated with the proposed development have the potential to disturb or destroy archaeological deposits across

this part of the site. I would therefore, support the recommendations given in the report submitted by Archaeological Services Durham University that a targeted program of excavation, monitoring and reporting be focussed on the southern part of the site followed by post excavation analysis.

- 5.38 NYCC's Heritage Section has recommended a condition to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Public Open Space

- 5.36 Policy SC1 of the Allocations DPD allocates 3.9 ha of land directly to the north of the application site for general recreation purposes. SC1 will be developed to provide areas of public open space and recreation facilities and a facility for young people, such as a skateboard park or multi-use games area. Vehicular access will go through Site SC1 to both housing allocation Sites SH1 and SH2. New pedestrian links will be provided from Sites SH1 and SH2.
- 5.37 Developers of sites SH1 and SH2 will be required to contribute towards the provision of equipping of this communal area. Residents and potential users of the open space should be consulted on the design, layout and use of Site SC1.
- 5.38 The Applicant was requested by Officers to explore the possibility of securing land at SC1 with a view to transferring the land to HDC or the Parish Council. The POS sum would have been reduced accordingly. Unfortunately, no further work has been undertaken by the Applicant in response to this request. However, the Applicant has indicated a willingness to provide a financial contribution towards the implementation of new recreation facilities and open space at SC1.
- 5.39 Given that dwelling numbers, types and sizes aren't fixed, it is proposed that a formula for calculating a commuted sum should be included within a s.106 agreement rather than an agreed figure at this stage. The formula would be based on Table 3 contained within the Public Open Space, Sport & Recreation SPD (i.e. £2,205.20 per 2 bed, £3,307.80 per 3 bed and £4,410.40 per 4 bed and £5,513 per 5 bed) plus an indexation.
- 5.40 Notwithstanding the Applicant's willingness to provide a financial contribution towards POS, a s.106 agreement has not been drafted or signed and therefore the application must be refused as a consequence.

Affordable Housing

- 5.41 Criterion i) of Policy SH1 stipulates a target of 50% affordable housing for the application site. This is derived from Policy CP9 which requires housing developments of 2 dwellings or more within the Stokesley hinterland to make provision for 50% affordable housing which is accessible to those unable to compete on the local housing market. Although, the actual provision on site will be determined through negotiations, taking into account viability and the economics of provision.
- 5.42 An "Affordable Housing Statement" was submitted with the application. The report concludes that there is no robust evidence base of local need to justify the provision of 50% affordable housing on sites in Stokesley and the principles of heightened affordable housing levels across the District, as set out in the Core Strategy and the Affordable Housing SPD are open to interpretation. On the basis of this view the Applicant initially offered 0% affordable housing.
- 5.43 Following negotiations with Officers, the Applicant made an initial offer of 10% affordable housing, which equates to 19.3 units.

- 5.44 The District Valuer was instructed to scrutinise the Applicant's Viability Appraisal and undertake a valuation of application site based upon 193 dwellings. The District Valuer has advised that the scheme can support a total of 44% affordable housing, which equates to 85 units.
- 5.45 The main causes of difference between the Applicant and the District Valuer is the amount adopted for land value and profit. There are also slight differences in the build costs applied.
- 5.46 In response to the District Valuer's findings, the Applicant has made a final offer to the Council of 15% affordable housing, which equates to 29 affordable units.
- 5.47 The Applicant's final offer is well below the Council's policy requirements and the District Valuer's recommendation and therefore the application is recommended for refusal.

6.0 CONCLUSION

- 6.1 For the reasons given above and having regard to all other matters raised, it is recommended that planning permission be refused for the application as submitted.

7.0 RECOMMENDATION

REFUSED for the following reasons:-

1. The proposed development fails to deliver a sufficient level of affordable housing without reasoned justification, contrary to Policy SH1 of the adopted Allocations Development Plan Document and Policy CP9 of the adopted Core Strategy which stipulate a target of 50% affordable housing for the application site.
2. The proposed development fails to deliver any open space, sport and recreation facilities contrary to Policy SH1 of the adopted Allocations Development Plan Document and Policy DP37 of the Development Policies Development Plan Document which requires new housing developments to contribute towards the achievement of the local standards by reducing or preventing both quantitative and qualitative deficiencies in provision related to the development.

7.

12/00136/OUT

Outline application for the construction of a dwelling. at Rutland House 4 The Gowans Sutton On The Forest North Yorkshire for Mr P Gripton.

1.0 PROPOSAL & SITE DESCRIPTION

1.1 The site lies on the northern side of The Gowans approximately 50m west of the junction with Carr Lane. The site currently forms part of the side garden of Rutland House, which lies at an angle on the corner of The Gowans with Harland Close. The garage, access and driveway of Rutland House lie within the application site boundary.

1.2 The site covers an area of 400 sqm with a frontage onto The Gowans of approximately 23m and a maximum depth of 23m.

1.3 It is proposed to remove the existing garage and construct a two storey 3 or 4 bedroomed house within the plot with additional accommodation within the roofspace, served by dormer windows or rooflights. The application is in outline form with all matters reserved. Additional detail has been submitted illustrating the erection of a dwelling close to the boundary with the neighbouring property Beech Lodge. The footprint of the dwelling is approximately 11m x 10m. The overall height of the proposed dwelling is the same as Rutland House.

1.4 It is proposed to create a new garage, access and driveway for Rutland House onto Harland Close but details of this proposal have not been provided.

2.0 PLANNING HISTORY

2.1 None

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP17 - Promoting high quality design
- Core Strategy Policy CP19 - Recreational facilities and amenity open space
- Development Policies DP1 - Protecting amenity
- Development Policies DP8 - Development Limits
- Development Policies DP10 - Form and character of settlements
- Development Policies DP32 - General design
- Development Policies DP37 - Open space, sport and recreation
- National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 Parish Council – The Parish Council has considered the above application and would like to see permission refused:

- Erection of a 3-4 bedroom house with only a single garage will increase on street parking which is already a problem;
- Street scene will be adversely affected in both The Gowans and Harland Close;
- Height of the proposed property will be out of line with other properties;
- First floor dormer windows will affect the privacy of nearby properties;

- Another property will exacerbate an already overloaded sewage system;
- Could set a precedent for other house owners to similarly build in their gardens.

4.2 NYCC Highways – final response awaited

4.3 Yorkshire Water – After further investigation, engineers have visited Manor Farm which is almost opposite the entrance of The Gowans. This issue seems to have been resolved and was down to tree roots causing blockage. The tree roots have now been cut. If any other local residents, raise any concerns, they are advised to write in separately to Yorkshire Water (Sewerage Operations), as these kind of issues are an operational one, and separate from planning.

4.4 Site notice/local residents – letters of objection have been received from 7 households, the comments of which are summarised as follows:

1. the positioning of this substantially sized property adjacent to tour small back garden would cause significant and permanent overshadowing and loss of natural daylight to our garden area, especially during afternoons;
2. the existing hedge and tree line would be damaged; this provides a natural environment for wildlife;
3. there is an increased risk of windows being added to the side elevation and a complete loss of privacy;
4. it has a detrimental effect on the openness and streetscene when approaching from the south;
5. it would increase the housing density and massing visible when first entering the village resulting in loss of character close to a Site of Importance for Nature Conservation;
6. there are already a number of issues with sewerage in The Gowans area and the capacity of the main sewer to handle this development;
7. loss of hedgerow frontage to make room for new driveway;
8. restrictions in title deeds;
9. are separation distances within planning regulations?
10. the neighbouring property has a feeling of open space. The development would lead to the garden being enclosed;
11. raw sewage overflows onto the footpath in Carr Lane particularly after heavy rain;
12. allowing this dwelling to be built on an existing garden would set a dangerous precedent given that most properties in the area could accommodate a house in their back garden;
13. The area is characterised by large properties that are spaciouly set out, with natural hedging;
14. the increased surface runoff that will be created by replacing permeable garden surfaces with impermeable surfaces such as block paving will impact on the sewage problem;
15. The influential 'Garden Organic Campaign' stress that gardens provide unique habitats encouraging wildlife and biodiversity, therefore improving nature conservation;
16. over the years many residents have tastefully upgraded and extended their properties. Erecting an additional house on a plot is one step too far;
17. the lengthy disruption that a build will cause residents is unacceptable;
18. another home would add to the problem of vehicles being parked on the street;
19. overdevelopment of the site;
20. The 2004 Design statement for Sutton on the Forest states that "... trees within all areas of the village (including gardens) and those trees and hedges that cloak the outer edges of the village MUST be retained and where possible extended...". Reference to Google maps shows that a substantial tree was cleared around a couple of years ago on the proposed site, and the outline application also proposes a further tree to be removed but does not say which;
21. key worry of adjacent resident is about overshadowing and potential loss of privacy. It would straddle a significant length of the back garden and to a significant height – effectively a high wall;
22. there are some significant breaks in the natural hedge/tree line where light comes through, offering a sensitive balance of both light and privacy;

23. We have carried out work to thin out hedging where needed and also reduced the height of one of the trees at the back, specifically to allow more light in. This as you will appreciate has to be done sensitively and over time, both from a natural conservation point of view, and to not upset the balance between light and privacy. The sun sets in the afternoon towards the rear of the garden, and we are concerned that the proposal would mean a solid barrier to light, both permanent and irreversible, leaving some parts of the garden almost in constant shadow.

5.0 OBSERVATIONS

5.1 The issues to be considered include the principle of a residential use in this location, the effect on the character and appearance of the surrounding streetscene, the impact on residential amenity, highway matters, sewage and the provision of public open space.

5.2 The principle of an additional dwelling in this location is accepted as the NPPF aims to create more sustainable patterns of development by focusing new housing development primarily in locations that are accessible by public transport to jobs, education, shopping, leisure and other services and facilities. The proposal is for the construction of a dwelling within the Development Limits of the village, which is defined as a Secondary Village in the Core Strategy. The site is within walking distance of the centre of the village and local services such as school and pubs and is considered to be within a sustainable location. It is considered that the proposal is therefore acceptable in principle.

5.3 Not all sites in such locations are suitable for development and consideration must be given to the layout and design and the potential impact of a proposal on features of acknowledged importance such as the character and appearance of the streetscene and the amenity of neighbouring residents.

5.4 The existing dwelling, Rutland House, lies within a relatively large plot as it straddles the corner of the two streets. It currently has a large amount of space to either side and to the rear. Separation distances between the house and its neighbours are significant, at almost 20m at the shortest distance. The division of the plot would result in Rutland House lying immediately adjacent to the new boundary and in close proximity to the new dwelling. Adequate amenity space would remain for Rutland House but the existing open nature of this part of The Gowans would be affected.

5.5 The density of other parts of The Gowans is higher with dwellings positioned closer together. Submitted drawings show the space would remain between Rutland House and the new dwelling and this would not detract from the character of the streetscene as the two dwellings would not appear cramped. The amount of amenity space available to the new dwelling would be less when compared to other plot sizes in the vicinity but not to the detriment of future occupants. It is not considered that a dwelling of similar height to neighbouring properties, in the position indicated on the drawing, would have an adverse impact on the appearance of the streetscene and would therefore be in accordance with LDF Policies CP17 and DP32.

5.6 The proposed siting of the dwelling, albeit a reserved matter, is in close proximity to the boundary with Beech Lodge. The dwelling at Beech Lodge lies at an angle on its plot and straddles The Gowans and Carr Lane, in a similar way to Rutland House straddling the other street corner. Neither the side nor rear elevations of Beech Lodge therefore look directly onto the boundary with Rutland House. There is a distance of approximately 9m between the boundary and the garage of Beech Lodge and a distance of approximately 17m between the boundary and the closest part of the rear elevation of Beech Lodge. The side elevation of the proposed dwelling would not therefore result in overshadowing or a sense of enclosure from inside Beech Lodge due to the separation distance.

5.7 Overshadowing and an increased sense of enclosure, through the existing mature landscaped boundary, will have an adverse impact on the side garden and part of the rear garden of Beech Lodge due to a loss of sunlight at certain times of the day but there is adequate rear garden space closer to the house that will remain unaffected. Overlooking

and loss of privacy can be protected by consideration of the design of the dwelling at the reserved matters stage. The proposed dwelling will have no serious impact on the residential amenity of the existing dwelling Rutland House or the dwelling to the rear at Dalegarth. It is not considered that the construction of a dwelling on the site will have an adverse impact on the residential amenity of neighbouring properties and is therefore in accordance with LDF Policy DP1.

5.8 The concerns expressed by local residents regarding blockages in the drains have been addressed separately by Yorkshire Water who have no objections to the construction of an additional dwelling in this locality.

5.9 The site lies well within the defined boundary of the village and will not therefore have any adverse impact on nearby sites of nature conservation interest.

5.10 The reference to title deed restrictions on the construction of dwellings within gardens is not a planning consideration; it is a separate civil matter.

5.11 The Highway Authority initial response is that the site is capable of accommodating the required parking and there are no objections to the continued use of the access for a single dwelling. Details are however required to demonstrate that a safe access can be achieved for Rutland House but can be the subject of a planning condition. The final recommendation of the Highway Authority is awaited.

5.12 Policy DP37 of the LDF requires the provision of public open space with all new residential development. No provision has been included within the application. The applicant has indicated that a contribution towards off site provision is likely to be forthcoming should permission be granted. A sum of £4410.40 would be required for a 4 bedroomed dwelling. Approval of the application would be subject to a legal agreement.

5.13 The proposed development is acceptable and it is recommended that the application be approved.

SUMMARY

The proposed development is in a sustainable location and will protect the character and appearance of the surrounding streetscene with no adverse impact on adjacent residential amenity or highway safety. The proposal is in accordance with the Policies within the Local Development Framework.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Five years from the date of this permission ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

2. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used, (b) the means of access to the site.

3. 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.

4. 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.

5. 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 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.

6. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan received by Hambleton District Council on 9 February 2012 unless otherwise agreed 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 enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced in accordance with the above LDF Policies.

3. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies.

4. 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.

5. The Local Planning Authority would wish to retain control over the extension 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 Policy CP1, CP17, DP1 and DP32.

6. 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 above Development Plan Policies.

8.

12/00296/LBC

**Application for Listed Building Consent for alterations to window to form a door.
at Vale View Cottage Thirkleby Hall Thirkleby Park Thirkleby
for Mr R Connell.**

1.0 PROPOSAL AND SITE DESCRIPTION:

1.1 This application seeks Listed Building Consent for alterations to an existing dwelling which is part of a Grade II Listed Building, the stables at Thirkleby Hall.

1.2 The proposal is to alter an existing sliding sash window to form a 12 paned glazed door with a 6-paned window above. This is to form an external door into the kitchen.

1.3 In support of the application the applicant has submitted the following comments:
It is nearly a mile from the public highway up a single track private road. It is not possible at present to see whether it is a window or a door until you are within a few yards of the property.

Vale View Cottage is the only one of twelve cottages that doesn't have a door accessing its patio on the outside of the quadrangle, as its only door leads into the courtyard. All the other cottages have at least two doors allowing access to both the courtyard and their outside patio areas.

The building was in a bad state of repair and was being used for housing livestock until being converted into cottages. Converting the building into dwellings has probably saved it from eventual dereliction and ensured its long term future.

2.0 RELEVANT PLANNING HISTORY:

2.1 07/00367/LBC - Application for listed building consent to alter a window to form an exit door at existing dwelling. Permission refused 23/4/2007 for the following reason:

The proposed alteration is contrary to Policy HH17 of Hambleton District Wide Local Plan and CP16 of the Local Development Framework due to its unacceptable impact upon the historic character and the appearance of the original Grade II Listed building.

3.0 RELEVANT PLANNING POLICIES:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets

Core Strategy Policy CP17 - Promoting high quality design

Development Policies DP28 - Conservation

Development Policies DP32 - General design

National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS:

4.1 Parish Council – wishes to see the application approved. It seems likely that the alteration will make the building look better.

4.2 Ward Member - I am strongly in favour of the alteration to this particular window in the building that is part of the former Thirkleby Hall Stables. I have been out to look at the site and feel it will be a very slight alteration to the elevation on that side of the building, and will help correct the visual imbalance that at present exists due to adaptations on the other side of the building.

As you say this building was originally put up as a stable block, albeit in a classical style in the 1780s. At some time the actual hall was demolished leaving only this structure. This building is not visible to passing traffic, is now converted to residential use, and is not a tourist attraction. The only visitors are to the nearby caravan park and the holiday cottages which are all visible within the old grounds of the house.

The owner of the property has no formal access to his own garden, he only has one entrance on the other side of the property and this could be a hazard in the case of fire etc. I understand other people living in the adjoined properties have no objection to this alteration, nor have I heard anyone from the Thirkleby villages express any objections. May I repeat - I am fully in favour of this minor alteration to one window that I believe will not change the general appearance of this side of the Thirkleby Hall Stable Block.

4.3 Conservation Officer - The stables of the former Thirkleby Hall are listed Grade II, constructed in the 1780s by classical architects James and Samuel Wyatt. The stables were originally constructed to be symmetrical in plan, a particular feature of classical architecture. Originally, either side of the archway the building would have been symmetrical. This has altered as a result of the conversion to residential use and has had a significant impact upon the appearance of the overall structure.

I am not supportive of any further changes to the symmetry of this building, particularly on this façade. This is the most prominent elevation, visible on the approach to the building and should be retained as originally designed. Any further alteration to the original symmetry of this building would have an adverse impact upon the historical significance of this Grade II listed building

4.4 Site notice/local residents – five letters of support have been received, the comments of which are summarised as follows:

1. I think the proposed alteration will be perfectly acceptable and will not detract from the symmetry of this elevation of the stable block. It will also improve the residential amenity of Vale View Cottage, by providing a direct access to this property's patio area. I would be happy to see this work completed;

2. I would like to see this application granted. The alteration will not detract from the visual appearance of this aspect of the stable block. It will enable the residents to more readily access their seating area;

3. We believe Georgian properties were designed to achieve symmetry of the buildings. Adding a door to Vale view cottage will achieve this symmetry and enhance the front view of the building. There is already a door in Yew tree cottage which at presents creates, in our view, an imbalance;

4. We are a neighbour on the other side of the dividing clock tower and archway into the courtyard. We have always had a front door to our property and the addition of a front door to our neighbouring property would add symmetry to the front of the building.

5.0 OBSERVATIONS:

5.1 The main issues for consideration in this case relate to the visual impact of the proposed alterations upon the appearance and original historic character of the Listed Building.

5.2 It is noted that the site for the proposed doorway is on the front main approach elevation of Thirkleby Hall which is considered to be a particularly important elevation. The window it is proposed to alter is one of only 3 ground floor windows that remain on this front elevation the other 3 having already been formed into doors. The existing doors are not of the same design as that now proposed.

5.3 It is considered that whilst the alteration of a window to a door has been found to be acceptable elsewhere on this building, it must now be carefully assessed whether this specific proposal is acceptable. There have been few alterations to this elevation since the permission was granted in 1991 to allow the conversion of the stable block to dwellings. A porch was allowed on the opposite side of the arch as there was a porch structure in that position pre-conversion. Restoration of original openings improved the appearance of this elevation at that time and the elevation has since remained unchanged.

5.4 There are concerns that the number of alterations now carried out to this listed building and the loss of a further window on the main elevation will unacceptably result in a loss of the original historic character and original appearance of the main front elevation of this building. The approach elevation of the building is particularly important; it currently has symmetry with the central arch and flanking walls with window and blind openings. The change of the window on the north side of the arch would result in a harmful loss of symmetry creating a change that is unsympathetic to the appearance of the building and its history.

5.5 The details of the alteration proposed will result in a glazed door with window above. It is considered that an alteration to lengthen the ground floor sash to form a french window would detract from the visual unity of the elevation. As such refusal is recommended as it is important to retain the original features and front elevation of this building.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The proposed alteration is contrary to Policies CP16 and DP28 of the Local Development Framework due to its unacceptable impact upon the historic character and the appearance of the original grade II listed building.