

Specialised bungalow for the Strickland family, Piercy End, Kirkbymoorside.  
Planning, Heritage, Design and Access Statement.

1. The proposal is for a single-storey dwelling purpose-built to accommodate the applicants' very disabled young daughter, Mia. The planning application follows a pre-application enquiry ('preapp'), reference 14/00530/PREAPP and answered on 9 July 2014.

2. Their letter of 19 September which forms part of this planning application describes Mia's medical condition. See also the several supporting letters from medical and social services specialists listed in 30 below. They explain Mia's medical condition, why specialised accommodation without stairs is needed and why the present family house cannot be adapted.

3. There are three considerations:  
1. The principle of the development.  
2. Impact on heritage assets.  
3. Personal needs.

These are now expanded. The first two were defined by the Council in the preapp. I regret that the third issue was not explained at that time.

4. To avoid repetition or duplication this statement includes the required Heritage and Design and Access statements. It contains in sequence:

- descriptions of the site and its surroundings,
- the proposals,
- the Heritage and Design and Access statements, and finally
- my assessment of the three main planning issues.

5. Location. The site is behind 51-55 Piercy End, a development consisting of a detached brick house, a pair of semis and a row of six garages behind. I understand that the houses were all built in 1973 and that previously the site was a foundry on the frontage with wasteland behind. Paul Strickland's late father owned 53 and the application site but none of the three houses or the garages are now owned, occupied or used by members of the Strickland family.

6. The site itself is behind the garage block. It is a flat area currently used by Mr Strickland's sister as an allotment to grow vegetables and keep a few hens and rabbits. It is not private residential garden assigned to any of the three houses. Its area is about 800 square metres. It is bounded on the west side by the brick garage block and otherwise by hedges between 1 and 1.8m high.

7. Fortunately Paul Strickland has inherited the site. Otherwise as his letter explains he considers that the current high property prices in Kirkbymoorside would have priced him out of the area. Paul and his partner Miss Lisa Dearlove particularly want to stay in Kirby because both their large families live locally and provide an important support network for them.

8. The surroundings. South of the site is St Chad's Catholic Church and its presbytery, both built in stone with slate roofs. Beyond is recent housing in

Petch Garth, in both brick and stone. North is 49 Piercy End, a listed stone house with pantile roof and outbuildings (see 12 later). Immediately east is a narrow part of the garden to 49 and beyond is the modern Oxcroft area of local authority housing, built mainly in brick. The three modern houses at 51-55 Piercy End to the west have been described in 5.

9. The proposal is in outline form and some details will follow. Nevertheless it is for an L-shaped four-bedroomed bungalow in the north-east of the site with a gross floor area of 152 sq m. It has been expressly designed to accommodate Mia Strickland's disabilities and would for instance have a wet room as well as a bathroom. It has also been designed to complement the setting of the conservation area; materials would be brick walling with red clay pantiles for the roof which are appropriate to the mixture of materials in the vicinity. The existing road access between 51 and 53 to the garages would be used.

10. Heritage Statement. The relevant heritage assets are the Kirkbymoorside Conservation Area and the adjacent listed building.

11. The Kirkbymoorside Conservation Area was first designated, I believe, in the early 1970s. It covers most of the historic centre of this market town. In the Piercy End area it mainly includes older traditional stone buildings on the frontage with private gardens behind. The Conservation Area Appraisal puts it in Area 2, which is characterised by narrow burgage plots along Piercy End and West End. Near the application site it includes the catholic church but not the modern development to the south (Petch Garth) and east (Oxcroft). It does contain the later 51-55 Piercy End, which would have been built after the conservation area was designated.

12. Listed Building. 49 Piercy End is now a house but was formerly a nursery and shop. It is listed with number 47. The listing text says they are late 18C with sandstone walls, a pantile roof and traditional windows with horizontal sliding sashes. There is an attached outbuilding in brick and stone.

13. Design Statement. The proposed bungalow has been described at 9 above.

14. It is more satisfactory and cost-effective to build accommodation designed for the family's needs than to adapt an existing property. The Strickland family has the opportunity to build a single-storey dwelling on a flat site easily accessible to the town centre. It allows Mia to move independently around the bungalow and to access the town centre, or alternatively makes it easier for carers.

15. Access Statement. Vehicles and pedestrians would use the existing access to the garages, which is satisfactory. Internally the bungalow has of course been designed to give inclusive access to people with disabilities.

16. Assessment. In this section I assess the three issues identified in 3 above.

17. Issue 1: the principle of development. The site is within the defined development limits for Kirkbymoorside. It is surrounded by existing development as described in 8.

18. The reply to the preapp concluded that the proposal was contrary to Policy SP2 of the Ryedale Local Plan because it was backland and as such did not fall into any of the development categories ('sources') defined under that policy. In particular it was not infill frontage development.

19. However I consider this a rather narrow interpretation. It is a fundamental tenet of good planning practice to use land efficiently. Paragraphs 17 and 111 of the NPPF encourage the effective use of land. I am surprised that the wording of SP2 appears to rule out the possibility of any backland development at all. It appears to be silent on the matter. Well-planned backland sites which can be developed without harm to other acknowledged planning interests have for years been recognised as contributing usefully to the supply of housing. In contrast to SP2, Policy H7 of the previous Ryedale Local Plan allowed *'other small-scale developments within...settlements'*, provided that the development is in character and site factors are satisfactory (para 5.5.1.1).

20. This site represents an opportunity for development without extending the town into the countryside. Site factors are satisfactory: there would be no overlooking or other nuisance to neighbours and access is good.

21 Issue 2: heritage assets. The reply to the preapp also objected to the loss of the *'burgage plot arrangement...of undeveloped gardens behind frontage buildings'*.

22 As mentioned traditional burgage plots are characteristic of Piercy End and West End. However historically we do not believe that the application site itself has ever been a garden. In the past: it was behind a foundry. In any event its location is marginal between the burgage plots which are found to the north and the developed area of the catholic church and Petch Croft to the south. Indeed the Conservation Officer herself comments that it is only *'on the cusp'* between these areas.

23 The preapp also expressed concern at the *'harmful effect'* on the setting of the grade 2 listed building adjacent to the north. This setting *'includes undeveloped tranquil back gardens'*.

24. The listed building has been described at 12. The traditional house on the street frontage is important in its own right and contributes to the character and appearance of the conservation area. However behind, apart from the traditional brick and stone outbuilding, there are also three further, unsightly, outbuildings of plastic sheeting and roofing felt.

25. The proposed house would be some 40m away from the traditional outbuilding, separated from it by the hedge. The unsightly outbuildings define

much of the setting of the listed building. In my professional judgement the proposed dwelling would be too far away to have any meaningful effect, particularly a harmful one, on its setting.

26. Policy SP12 of the Ryedale Plan, '*Heritage*', rightly states that designated heritage assets will be conserved. It also says that proposals resulting in '*less than substantial harm*' will only be agreed where there is public benefit outweighing any harm. In my judgement there is no harm, but if it is considered that there was it would not be substantial and the benefit to the applicants is a compelling reason to approve the proposal.

27. Issue 3: personal needs. The Stricklands have two children. Mia, 8, is severely disabled. She has a progressive neurological genetic disorder called Friedrich's Ataxia and has to use a wheelchair or walking frame. Her parents describe her condition fully in their accompanying letter, dated 19 Sept. In brief the condition affects her balance and coordination. As it progresses it can also affect her speech, ability to swallow foods, vision, hearing and heart. It can lead to scoliosis and diabetes.

28. At present the family lives in a 2-storey house at 42 Keld Head Orchard, which is on a steep slope. There is no downstairs bathroom or wc and Mia has to be carried up the stairs. The family needs adapted accommodation. NYCC Social Services has previously helped with alterations to the house but says in the letter dated 29 August that it considers it unsuitable for further such alteration because it is 2-storey and because of the steep outside slope.

29. Keld Head Orchard is almost one mile away from the centre of Kirkbymoorside and walking involves the hilly Gillamoore Road. It is not easily accessible for wheelchair journeys.

30. The family's needs are described in the following letters which have been submitted with the planning application.

- Dr R A Smith, Consultant Paediatrician, York Teaching Hospital (12 June).
- Dr R Kirk, Consultant Paediatric Cardiologist, and Sister P Walshe, Cardiac Liaison, Freeman Hospital, Newcastle (4 August).
- Sister P Bruce, Occupational Therapist, York Teaching Hospital (26 August).
- Amanda Bassett, Occupational Therapist, NYCC Social Services (29 August).
- Mrs Gill Hardacre, Head Teacher, Kirkbymoorside Primary School (4 Sept).
- David Brewster, Chief Officer, Ryedale Special Families (15 Sept).
- The applicants, the Strickland family (19 September).

31. The NPPF says that LPAs should '*plan for a mix of housing....for the needs of different groups in the community (such as....people with disabilities...'* Para 50). The proposed bungalow is the ideal solution to the particular predicament of the family.

32. Other considerations. No other dwellings would be adversely affected. The only nearby residential property is the church presbytery to the south. Any ground floor overlooking is prevented by the hedge. Generous distances also reduce possible nuisance: the presbytery is about 10m away from the south wall of bedrooms 3 and 4, which have no windows, and otherwise it is about 15m away. The presbytery is also on lower ground. In the other direction, north, there are no nearby houses. The proposed dwelling would have two windows facing north but neither is for a main room, and there is a hedge very close.

33. Conclusion. The NPPF sets out the important planning principle of the presumption in favour of sustainable development. Development proposals that accord with the development plan (unless it is silent or out of date) should be approved without delay (para 14). This sentiment is broadly repeated in Policy SP19 of the Ryedale Plan.

- The first issue raised in the preapp is the principle of development. Policy SP2 is silent on the role of backland development. However the site is within the Development Limits and site factors appear to be satisfactory.
- I do not believe that the proposals cause any harm to heritage assets. In any event Policy SP12 permits the approval of development resulting in what the Council considers to be '*less than substantial harm*' if outweighed by public benefit.
- The accommodation is much needed by the applicants.

34. I hope that with this additional information the application can now be supported by the Council. It meets a most important need for the applicants, it causes no harm to principles of good planning in Kirkbymoorside, or to heritage assets, or to neighbours or to any other issues of planning importance.

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