

Item Number: 8
Application No: 14/01319/FUL
Parish: Pickering Town Council
Appn. Type: Full Application
Applicant: Mr Thompson
Proposal: Change of use and alteration of ground floor storage areas to form 1no. 1 bedroom dwelling together with erection of 2no. 1 bedroom semi-detached dwellings following demolition of existing garage.
Location: Everley 142 Westgate Pickering North Yorkshire YO18 8BB

Registration Date:
8/13 Wk Expiry Date: 23 January 2015
Overall Expiry Date: 11 March 2015
Case Officer: Matthew Mortonson **Ext:** 332

CONSULTATIONS:

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| Sustainable Places Team (Yorkshire Area) | Comments awaited |
| Land Use Planning | Comments awaited |
| Environmental Health Officer | Recommends Condition |
| Parish Council | Support in principle but concerns over lack of parking |
| Highways North Yorkshire | Recommend conditions |
| Building Conservation Officer | No objection |

Neighbour responses:

SITE:

The application site is located on Westgate, Pickering within close proximity with the junction shared with Potter Hill. The site is within the development limits of the town and the Pickering Conservation Area. The site currently operates as a car repair garage and consists of a number of buildings relating to the business. The ground floor of 142 Westgate is used for storage purposes for the existing business.

PROPOSAL:

The proposal seeks planning permission for change of use and alteration of ground floor storage areas to form 1no. 1 bedroom dwelling together with the erection of 2no. 1 bedroom semi-detached dwellings following the demolition of the existing garage.

This planning application forms a re-submission of application ref. 09/00600/FUL which was granted planning permission in August 2009.

HISTORY:

09/00600/FUL - Planning provision granted for a change of use and alteration of ground floor commercial storage area to a one bedroom flat with separate access to existing two bedroom first and second floor flat and erection of 2 no one bedroom dwellings with pedestrian access and amenity areas.

POLICY:

[Ryedale Local Plan Strategy](#)

Policy SP1 – General Local of Development and Settlement Hierarchy
Policy SP2 – Delivery and Distribution of New Housing
Policy SP3 – Affordable Housing
Policy SP4 – Type and Mix of Housing
Policy SP11 – Community Facilities and Services
Policy SP12 – Heritage
Policy SP16 – Design
Policy SP19 – Presumption in Favour of Sustainable Development
Policy SP20 – Generic Development Management Issues

National Planning Policy Statement
National Planning Policy Framework
National Planning Practise Guidance

APPRAISAL:

The main considerations for this application are:

- i) Principle of the Development
- ii) Design
- iii) Impact on Pickering Conservation Area
- iv) Residential Amenity
- v) Other considerations

The Ryedale Local Plan Strategy provides the settlement hierarchy for the District. Pickering, as a market town, is one of the more sustainable settlements where new residential development should be focused. Policy SP2 of the Local Plan Strategy identifies that within the development limits of the market towns, the conversion and redevelopment of previously developed land and buildings for residential purposes will be acceptable in principle.

Policy SP3 and Policy SP11 of the Ryedale Local Plan Strategy include a requirement for residential developments within Pickering to contribute towards affordable housing provision and public open space. A report has however been recently considered and agreed by the Planning Committee in relation to the Government Advice, with a recommendation that such contributions should not be sought on sites below a threshold of 5 dwellings. Accordingly, it is not considered that affordable housing and public open space contributions should be sought in this instance.

This site currently consists of the existing car garage and associated buildings which are of a construction, design and appearance that detracts from the character and appearance of the Conservation Area. The loss of the buildings is not considered to be one that would be harmful to the area. In addition, the Council's Countryside Officer has advised verbally that due to the construction and use of the buildings it is unlikely the site would have any ecological interest. No objections are therefore raised to the loss of the existing buildings.

In terms of the proposed residential units, the alterations to the main building to accommodate the additional residential unit are minor and do not materially alter the character and appearance of the host property. This aspect of the proposal is considered to be acceptable.

With regards to the proposed new residential buildings, their design is one which reflects the appearance of linear outbuildings located to the rear of the main dwelling. This approach results in an appearance and form that would not be out of character with the Pickering Conservation Area. It is the view of Officers, including the Building Conservation Officer, that the character of the Pickering Conservation Area would be enhanced by this proposal.

With respect to residential amenity, Policy SP20 of the Ryedale Local Plan Strategy is relevant stating:

New development will not have a material adverse impact on the amenity of present or future occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.

In this case, whilst the residential units are of a small scale, for this type of accommodation they provide sufficient levels of amenity for future occupiers. The two residential dwellings benefit from modest garden areas for residents to enjoy. In terms of the impact on neighbouring properties, the use of the site for residential purposes is one that would be less harmful to nearby residents compared to the existing use. Given the scale and design of the proposal no issues of loss of privacy or overshadowing / overdominance would occur.

As part of the planning application documents a Phase 1 land contamination survey has been provided. The Council's Environmental Health Officers have considered this document, but recommend further investigations. The application has been conditioned appropriately.

Pickering Town Council have raised concerns to the lack of car parking provision within the site. Whilst Officers do appreciate the concerns raised by the Town Council, it is considered that, given the planning history of the site (which previously approved the development as submitted, together with the comments of the Highway Authority who have raised no objections to the application), there are no sustainable objections that could be raised to this aspect of the development.

Yorkshire Water and the Environment Agency have also been consulted on the application and their comments are awaited. Members will be updated on any comments received prior to the Planning Committee Meeting in the late pages, or verbally at the Planning Committee Meeting.

To conclude, the proposed development is considered to be in accordance with the requirements of the Development Plan. There are no other material considerations to suggest a determination otherwise. The application is therefore recommended for approval, subject to the outstanding consultation responses.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

3 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: In the interest of the visual amenity of the Conservation Area in accordance with the requirements of the NPPF.

- 4 Prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

- 5 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted development) Order 1995 (or any Order revoking, re-enacting or amending that Order), development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Reason:- To ensure that the appearance of the area is not prejudiced by the introduction of unacceptable materials and/or structure(s) and to satisfy Policy H7A criteria (i) and (ii) of the Ryedale Local Plan

- 6 Before any part of the development hereby approved commences, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved.

- 7 Unless otherwise agreed in writing with the Local Planning Authority development shall not commence until actual or potential land contamination at the site has been investigated and a Phase 2 Site Investigation Report (to follow the LUCS Phase 1 Preliminary Risk Assessment) has been submitted to and approved in writing by the Local Planning Authority. Should remedial work be required, or requested by the Local Planning Authority, development shall not commence until a Remediation Statement has been submitted to and approved in writing by the Local Planning Authority. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175 Code of Practice for the Investigation of Potential Contaminated Sites. Following remediation, submission of a verification report to be approved in writing by the Local Planning Authority will be required prior to the occupation of any dwellings.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An appropriate investigation and risk assessment must be

undertaken in accordance with current guidance, and where remediation is necessary, a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted to the Local Planning Authority for approval.

Reason: To comply with the requirements of the National Planning Policy Framework.

- 8 No part of the development shall be brought into use until the existing access on to Westgate has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and in the interests of highway safety.

- 9 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 10 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of 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.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

- 11 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drawing No. 0912082 - Proposed two flats and two dwellings

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties