

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 6
Application No: 16/00206/MFUL
Parish: Norton Town Council
Appn. Type: Full Application Major
Applicant: Redfern Developments Ltd (Mrs M Redfern)
Proposal: Demolition of existing social club and erection of a three storey building to accommodate 9no.two bedroom flats and change of use and alteration of ground floor of No.98 to form 1no. two bedroom flat together with associated car parking, cycle spaces and manoeuvring space
Location: 98 & 100 Commercial Street Norton Malton North Yorkshire YO17 9EU

Registration Date: 8 February 2016
8/13 Wk Expiry Date: 9 May 2016
Overall Expiry Date: 2 April 2016
Case Officer: Helen Bloomer **Ext:** 328

CONSULTATIONS:

Lead Local Flood Authority	Recommends condition
Archaeology Section	A scheme of archaeological mitigation recording to be undertaken and conditions
Environmental Health Officer	No views received to date
Building Conservation Officer	No objection
Land Use Planning	Comments made regarding sewer
Flood Risk	Comments made - and recommended conditions
Parish Council	Recommend approval subject to additional parking space
Highways North Yorkshire	Recommend informative
Housing Services	Comments made
North Yorkshire Police Architectural Liaison Officer	Comments received regarding designing out crime

Neighbour responses: None

SITE:

The application site is located on the southern side of Commercial Street, close to the junction with Parliament Street. Part of the application site is within the Norton Conservation Area. It is a mixed use area, with the Malt Kilns Industrial Estate to the south, including an open car sales area, a retail unit with two storeys of flats above to the east and housing and shops to the west. There is a single-storey building which presently occupies the site. This was previously used as a social club.

PLANNING COMMITTEE

27 September 2016

Following the closure of the club the building has remained vacant for a number of years. The building itself has no architectural or historical merit.

The site does benefit from an existing vehicle access onto Commercial Street.

PROPOSAL:

Planning permission is sought for the demolition of the existing social club and the erection of a three storey building to accommodate 9no.two bedroom flats and the change of use and alteration of the ground floor of No.98 to form 1no. two bedroom flat. together with associated car parking, cycle spaces and manoeuvring.

The proposed development has been designed to incorporate the proportions and fenestration details of existing properties in the locality. The applicant has specifically chosen to construct the proposed building out of brick as a similar approach to the recent development carried out on the Pocklington Carpet site next door (directly to the east).

HISTORY:

There is no relevant site history.

This application is being reported to Members of the Planning Committee as it constitutes 'Major Development'.

POLICY:

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP4 - Type and Mix of New Housing

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP17 - Managing Air Quality, Land and Water Resources

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

National Planning Policy Framework

National Planning Practice Guidance

APPRAISAL:

The main considerations in relation to this applications are:

- i. Principle
- ii. Character and Form
- iii. Residential Amenity
- iv. Highways
- v. Drainage
- vi. Archaeology

PLANNING COMMITTEE

27 September 2016

i.Principle

In accordance with S38(6) of the Planning Compulsory Purchase Act 2004 planning applications must be considered against the adopted Development Plan unless material planning considerations indicate otherwise. The adopted Development Plan is the Ryedale Local Plan - Local Plan Strategy, adopted 5 September 2013 and the 'saved' development limits shown on the proposals map of the Ryedale Local Plan adopted 2002. Whilst the Local Plan Strategy should be read as a whole, Policy SP1 (General Location of Development and Settlement Hierarchy) is concerned with the distribution of development. The application site is within the Development Limits Norton, defined as a Principal Town, a primary focus for growth.

Policy SP2 (Delivery and Distribution of New Housing), supports the principle of new development on previously developed land.

Paragraph 4.47 of the Ryedale Plan - Local Plan Strategy states that there are,

Shortfalls in existing stock are predominantly related to smaller properties and specific property types. For example there are noticeable shortfall in flats and bungalows across the district

Paragraph 4.48 goes on to state...

It is also important that opportunities to address localised shortfalls in house types or sizes and developers will be expected to address stock shortfalls....

In principle the proposed development would not only accord with the aims of SP1 and SP2 but would also provide a type and mix of new housing which would address some of the shortfall in the district housing stock in compliance with Policy SP4.

Notwithstanding the requirements of Policy SP3 , in 2014 a Ministerial Statement was issued which set out national policy in respect of developer contributions from small sites. The statement made it clear that for sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. As this application is for 10 units with a gross floor space of approximately 720 square metres. the Local Planning Authority is unable to seek either on site or off site contributions for affordable housing.

Under the Councils CIL Charging Schedule the development is not CIL Liabile.

ii. Character and Form

The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the Local Planning Authority to determine whether or not proposed development would preserve or enhance the special qualities of the area.

Only part of the application site is within the designated Norton Conservation Area. The remainder of the site is adjacent to it and is very much considered to contribute to its setting. Members will note from the earlier section of this report that the application site was last used as a social club. This use has been abandoned for a number years and the building is falling into a state of disrepair'. The negative state of the building is now starting to adversely impact on this prominent part of Commercial Street, a principle vehicle route leading into the Norton Conservation Area and the town centre.

This application is seeking to gain planning permission to demolish the existing social club and replace it with a mix of 3 storey and 2 1/2 storey brick building.

The application site is located in a built up, high-density part of town, where it is likely that buildings of this scale could be expected to be developed. The variation in ridge heights, demonstrate that the area is mixed with buildings of different scales. As such, it is considered that the scale of the building is in keeping with the character of the area and similar to the recent scheme to re-develop the Pocklington Carpet site. Given the height of the Malt Kilns to the rear, the impact of the development will not be as significant as it would be if the site were located in a lower density residential area.

Following concerns from officers that the eastern gable end was over fenestrated, the plans have been revised to address this by reducing the amount and prominence of the proposed windows. It is considered that subject to the recommended conditions in terms of materials, the proposed development will positively enhance the setting of the Norton Conservation Area.

The Council Building Conservation Officer has raised no objection to the proposed development. The Police Designing Out Crime Officer has commended the design of proposed development in so far as it would provide an active frontage and the proposed electronic gates would provide safe parking and refuge areas. A number of recommendations have been made some of which have been included as conditions. Others are suggested as informative's.

iii. Residential Amenity

Members will note that the site is located on a busy road, with the Malt Kilns Industrial units to the rear. In view of this, a Noise Impact Assessment was requested. The Council's Environmental Health Officer has expressed concerns about the adequacy of the Noise Assessment, and in particular the potential adverse impacts that could arise from both traffic and noise from individual premises close to the site.

This view is strongly contested by the applicant's agent Noise Consultant. Notwithstanding the E.H.O.'s current concerns/objections with regard to the approach taken the E.H.O has indicated that (if Members are minded in principle to approve the application because of the nature of the existing mixed uses in the area.) that conditions could be imposed to protect the amenities of future residents of the flats. These would be likely to take the form of enhanced glazing, noise mitigation measures etc. further details in respect of conditions to mitigate the impact of noise will be included in the Late Pages and/or reported to Members at the meeting.

The proposed development will neither result in future occupiers overlooking existing residential properties or being overlooked themselves.

The adjoining property (of which the applicant is the leaseholder), has been subdivided into two flats with the former social clubs office occupying the ground floor. These flats have only a few windows on the southern elevation, the majority of which are obscured glazed. The south elevation of the proposed development would project past the existing rear elevation by approximately 6.3 metres. Due to the proposed projection and the orientation of the sun there would be the potential that the development would impact on the amount of light obtained to the rear of the existing properties. However, due to the number of windows, their position and the fact that the majority are obscured glazed it is not considered that the proposed development would have a significant material adverse impact on the amenity of current or future occupiers.

iv. Highways

The application site would be served by 9No. on site car parking spaces and cycle bays. The existing vehicular access would be utilised and would have the benefit of inward opening electronic gates set back 7 metres from the pavement.

North Yorkshire County Council Highways Authority have been consulted. The Highway Officer has concluded that;

The locality of the site relative to Norton town centre, shops, amenities and public transport links, no Highway Authority objections are raised to the proposed development.

A condition relating to surface water has been recommended, together with a number of informative's.

v. Drainage

The applicant has indicated that surface water would be dealt with via a Sustainable Drainage System. However no further details have been submitted. The SuDS and Development Officer (NYCC) was therefore unable to make a recommendation as to whether or not this would be acceptable on the application site. However, the SuDS officer has since concluded that as the application site is a 'brownfield' site and the proposed development would take up approximately 25% less floor area than the existing built form. A condition requiring the detailed design and associated management and maintenance plan of surface water drainage is required to be submitted prior to the commencement of the development would be sufficient to address surface water drainage matters.

It is proposed that foul waste would be disposed of via the mains sewer. Yorkshire Water has raised no objection, however they have recommended a condition in relation to manhole provision.

vi. Archaeology

The application site is in an area of high archaeological potential and significance. A Roman road runs adjacent to the proposed development area with records of Roman burials within the current red line boundary.

North Yorkshire County Council Heritage Services has been consulted and because of the potential significance would have normally requested pre-determination evaluation. However, the current building on site prevents this. They have therefore recommended conditions to be attached to an approval, if planning permission is granted, requiring a Scheme of Archaeological Mitigation to be submitted prior to any demolition/ development.

Norton Town Council has resolved to recommend approval on the provision of one additional parking space, making one parking space per unit. North Yorkshire County Council's Highways Authority Officer, is however satisfied with the parking arrangements proposed, given that the site is within a sustainable town centre location and provision has also been made for bicycle parking.

At the time of writing no written responses have been received from any members of the public.

In light of the above assessment, the recommendation is one of approval.

RECOMMENDATION: Approval subject to conditions (to follow)

PLANNING COMMITTEE

27 September 2016