

Item Number: 8
Application No: 16/01870/FUL
Parish: Broughton Parish Meeting
Appn. Type: Full Application
Applicant: Mr M Blakeley
Proposal: Erection of detached two-bedroom dwelling with garden shed and formation of vehicular access (revised details to refusal 16/00973/FUL dated 13.09.2016)
Location: Land Adj To Dhekelia Moor Lane Broughton Malton YO17 6QJ
Registration Date:
8/13 Wk Expiry Date: 12 January 2017
Overall Expiry Date: 24 January 2017
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Land Use Planning	No views received to date
Highways North Yorkshire	Recommend conditions
Parish Council	No views received to date
Parish Council	No views received to date

Neighbour responses: Ms Bunmi Lana, Miss J Robinson,

SITE:

The application site is located within the Development Limits of Broughton, a settlement located to the west of Malton that is classified as an 'Other Village' within the Ryedale Plan - Local Plan Strategy. The site is adjacent to Moor Lane and the land was formally the curtilage of the property to the north of the site, 'Dhekelia'.

PROPOSAL:

Erection of detached two-bedroom dwelling with garden shed and formation of vehicular access (revised details to refusal 16/00973/FUL dated 13.09.2016).

Members should note that a revised scheme has been submitted, showing an eave height of 2.4m.

The proposed detached two-bedroom dwelling will be single storey, ridge parallel to Moor Lane and have a footprint of approximately 79 square metres. It will measure 4.494m to the ridge and 2.4m to the eaves. There is a small rear offshoot with a pitched roof that will form the living/dining room space. A small garden shed is proposed in the south east corner of the plot. The vehicular access will run to the north of proposed dwelling, with a width of 2.745m. Turning space will be to the front of the dwelling, with private garden space to the rear.

HISTORY:

There is extensive planning history regarding the site, including:

- 13/01099/OUT - Planning permission granted 25.07.2014 - Erection of 1 no. dwelling (site area 0.0282 ha).

- 15/00358/FUL - Planning application withdrawn due to disparities regarding the site measurements - Erection of a 3 bedroom detached dwelling and detached 1 bay garage together with formation of vehicular access (revised details to outline approval 13/01099/OUT dated 25.07.2014).
- 16/00045/FUL - Planning application withdrawn due to Officer concerns regarding the siting and scale of the proposed dwelling in relation to the neighbouring property of Dhekelia. Furthermore, insufficient car parking spaces were shown - Erection of 1no. four bedroom detached dwelling with garden shed and formation of vehicular access.
- 16/00973/FUL - Planning permission refused 13.09.2016 due to Officer concerns regarding insufficient evidence to demonstrate that the proposed residential dwelling would be suitable and/or available for Local Needs Occupancy, the siting, scale, form and detailed design of the dwellings and the impact upon the neighbouring properties of Dhekelia and Westway.

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP2 Delivery and Distribution of New Housing

Policy SP4 Type and Mix of New Housing

Policy SP16 Design

Policy SP18 Renewable and Low Carbon Energy

Policy SP19 Presumption in Favour of Sustainable Development

Policy SP20 Generic Development Management Issues

Policy SP21 Occupancy Restrictions

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

National Planning Policy Framework (2012)

Chapter 6. Delivering a wide choice of high quality homes

Chapter 7. Requiring good design

National Planning Practice Guidance (2014)

APPRAISAL:

The main considerations to be taken into account when considering the proposal are:

- i. The Principle of Development
- ii. Local Needs Occupancy
- iii. Siting, scale, form and detailed design of the proposed dwelling
- iv. Highway safety
- vi. Impact upon neighbouring amenities
- viii. Water supply and waste water
- ix. Land contamination
- x. The Community Infrastructure Levy
- xi. Other matters
- xii. Conclusions

i. The Principle of Development

The proposed dwelling is on a site located within the development limits of Broughton. In principle, such infill residential development within the built up frontage of the village, is supported by Policy SP2 of the Ryedale Plan - Local Plan Strategy.

ii. Local Needs Occupancy

The proposed dwelling is located in an 'Other Village' as identified in the Local Plan Strategy and if approved will be subject to a Local Needs Occupancy condition to satisfy Policies SP2 and SP21. It is proposed that the dwelling will be a single storey bungalow. This type of development would be supported by Policy SP4 of the Local Plan Strategy as there is a noticeable short fall of bungalows across the Ryedale District.

The applicants at this moment in time, do not meet the Local Needs Occupancy criteria. However, it is their intention to move from their current dwelling in Salton to a property within one of the qualifying Parishes or adjoining Parishes and live there until they meet the criteria of the Local Needs Occupancy. The applicants intends to build the bungalow and leave it water tight and sealed and finishing it off to completion level nearer the time when they can meet the Local Needs Occupancy. It is considered that on the basis of the information provided, the Local Needs Occupancy criteria can be met, albeit not at the present time by the applicants, but they will be able to in the future. The applicants may also choose to build the property and rent it out to people who do meet the Local Needs Occupancy. If this is the case, Policy SP4 states that there is a noticeable short fall of bungalows across the Ryedale District and this dwelling would meet this requirement.

iii. The siting, scale, form and detailed design of the proposed dwelling

The proposed detached two-bedroom dwelling will be single storey, run ridge parallel to Moor Lane and have a footprint of approximately 79 square metres. It will measure 4.494m to the ridge and 2.4m to the eaves. There is a small rear offshoot with a pitched roof that will form the living/dining room space. A small garden shed is proposed in the south east corner of the plot. The vehicular access will run to the north of proposed dwelling, with a width of 2.745m. Turning space will be to the front of the dwelling, with private garden space to the rear. It is considered that the reduction in eaves height has created a steeper roof pitch which is typical of the immediate locality. The dwelling will be constructed of brick, with stone quoins and double roman pantile roof. Windows and doors will be UPVC with black rainwater goods.

It is considered the new dwelling by virtue of its siting, scale, form and detailed design reinforces local distinctiveness of the immediate locality and complies with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

The property is considered to have sufficient private amenity space to the rear of the dwelling, commensurate to the size of dwelling.

iv. Highway safety

The Highway Authority has stated no objection to the proposal and has advised that conditions should be attached to any decision regarding verge crossings, visibility splays, the parking for the dwellings, precautions to prevent mud on the highway and onsite parking, storage and construction traffic during the development.

v. Impact upon neighbouring amenities

The proposed dwelling will be 1 metre from the southern boundary of the neighbouring property Westway at the closest point. The northern elevation of the proposed dwelling will be 6m from the dwelling of Dhekelia, with a driveway of 2.745 metres in width and a boundary wall between. The proposed dwelling is also set back by 5.85 metres from Moor Lane. Dhekelia directly abuts Moor Lane. It should be noted that the main aspect for Dhekelia is southwards.

Due to the bungalow only being single storey and the positioning of the proposed openings, there will be not be a material adverse impact upon neighbouring amenities in terms of the bungalow being overbearing in presence or causing loss of sunlight and daylight. The proposal is considered to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy. A condition will be attached to the Decision Notice to ensure that the window on the north elevation that serves a bathroom is permanently obscure glazed.

vii. Water supply and waste water

As part of the 2013 outline approval, Yorkshire Water has stated that a water supply can be provided to the site and with regard to waste water, the information that was provided by the application means that no further observations were not required by them.

viii. Land contamination

A land contamination screening assessment has been submitted, along with the Landmark Historic Database. This does not identify any use or historic use which may have resulted in potential land contamination. Therefore, no further investigation is necessary.

ix. The Community Infrastructure Levy

The application is liable for the Community Infrastructure Levy. The charge has been calculated at £6205.

x. Other matters - Consultation comments

3 White Cottages

A lengthy letter of objection has been received from the occupier of 3 White Cottages, a property which is located approximately 33 metres to the immediate north of the application. The letter can be viewed in full on the Council's website. In summary, the objection states:

- The outline planning permission for a bungalow had a foot print of approximately 62.5 square metres and this one has increased to 79.58 square metres. This will be overbearing to neighbouring properties and detract from the street scene
- Dhekelia's front windows are south facing and face onto the plot and would face the gable end of the new build
- Many of the bungalows along Main Street are single storey with hipped roofs, with the external wall of one of these is 2.44 metres. This scale and design would be more in keeping with the street scene and less obtrusive to neighbouring properties.
- Disparities regarding the Local Needs Occupancy and the CIL self build exemption
- Stone quoins are not in keeping with surrounding properties
- The positioning of the proposed dwelling is too close to the boundary of Westways

Dhekelia

The occupier of Dhekelia has also made representations regarding the application. The full letter can be viewed on the Council's website. In summary, the letter states:

- My main concern has always been with the height of the proposed building and the potential loss of light
- The height has been slightly increased
- There is a plan that was approved in 2013 and the new design could be fitted to the scale and footprint of the approved plans

Comments regarding the consultation comments

Whilst it is noted that bungalows along Main Street have hipped roofs, there are also some with gables that run ridge parallel to the road, especially on the eastern side of Main Street. The proposed dwelling is single storey, with an eave height of 2.4m. The issues regarding Local Needs Occupancy have been explained within section ii of the appraisal and it can be confirmed that the applicant is not applying for the CIL self build exemption. The issues regarding neighbouring amenity have also been addressed within section iv of the appraisal. It is uncertain what height the occupier of Dhekelia is referring to that has increased. The previously refused scheme had a ridge height of 5.325 metres and an eave height of 2.72 metres, which is higher than that shown the current proposed dwelling.

Members should note that 2013 approval (Planning Reference 13/01099/OUT) only made reference to a site layout plan and did not have an approved ground floor layout plan or elevation plan. The layout plan as shown as simply 'indicative'. A condition on the 2013 approval states:

The outline permission hereby approved shall be single storey only as indicated on drawing number MP/2013/B/2/1A. additional accommodation may be accommodated in the roofspace subject to approval of the reserved matters required by condition no.02 above.

Reason:- In the interests of protecting the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policy SP4 of the Ryedale Local Plan Strategy.

xi. Conclusions

In light of the above considerations, the proposal is considered to satisfy the relevant policy criteria outlined within the National Planning Policy Framework. Policies SP1, SP2, SP4, SP16, SP19, SP20, SP21 and SP22 of the Ryedale Plan - Local Plan Strategy are also satisfied. The proposal is therefore recommended for approval subject to the following conditions.

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 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, 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 Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 The ground floor window on the northern elevation of the proposed extension shall be permanently glazed with frosted or opaque glass.

Reason:- To protect the privacy of adjoining properties and to comply with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

h. The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 5 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility through to and parallel along the application site fronting Moor Lane from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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

- 6 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number MB/2016/B/1A. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy 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.

- 7 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 Plan - Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 8 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:

a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

b. 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.

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

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

Site Location Plan dated 17.11.2016.

Revised Plan - Drawing Number MB/2016/B/1A.

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

INFORMATIVES:

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 2 An explanation of the terms used above is available from the Highway Authority.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties