

**Item Number:** 10  
**Application No:** 17/00586/OUT  
**Parish:** Norton Town Council  
**Appn. Type:** Outline Application  
**Applicant:** Joanne Suddaby-Smith  
**Proposal:** Residential development of 3no terraced dwellings with vehicular access and alterations to domestic curtilages of existing terrace of 4 dwellings (site area 0.1ha)  
**Location:** Land Adj 42 Vine Street Norton Malton North Yorkshire  
  
**Registration Date:** 24 May 2017  
**8/13 Wk Expiry Date:** 19 July 2017  
**Overall Expiry Date:** 28 June 2017  
**Case Officer:** Alan Hunter **Ext:** Ext 276

#### **CONSULTATIONS:**

<b>Parish Council</b>	Recommend refusal
<b>Highways North Yorkshire</b>	Recommendations
<b>Building Conservation Officer</b>	No objection
<b>Archaeology Section</b>	Recommend conditions
<b>Neighbour responses:</b>	Angela Gair

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#### **SITE:**

The application site comprises vacant land and part of the gardens of No.'s 36-42 Vine Street Norton. The land is accessed from Vine Street and lies within the development limits of Norton. The site approximately measures 19m in width and 60m in depth.

A Grade 2 listed building is located to the eastern side; No. 3 Scarborough Road. The surrounding development is relatively high density residential environment. Vine Street is a cul-de-sac leading from Commercial Street with known accessibility issues relating the narrow width and lack of on-street turning.

#### **PROPOSAL:**

Outline planning permission is sought for the erection of 3 dwellings along with vehicular access and alterations to domestic curtilage of the existing terrace of 4 dwellings.

At this stage only access and layout are to be considered, with scale, external appearance and landscaping to be addressed at Reserved Matters Stage.

The proposed access is to the rear of No 36-42 Vine Street with a central parking area in the middle of the site for the 4 no existing dwellings and 3 no. proposed dwellings. Additional amenity space is also proposed for the existing dwellings. The proposed 3 no. terraced dwellings are to be located to the southern part of the site. They will have a footprint of 3.8 m in width and 10.8m in length (including the rear wing).

## **HISTORY:**

Planning history for the site includes:

2016: Planning application withdrawn for the erection of 3no. terraced dwellings.

1991: Planning permission granted for the erection of the erection of 2 no. dwellings and off-street parking for 4 no. properties.

1991: Planning permission refused for the erection of 2 no. dwellings and off -street parking for 6 dwellings.

## **POLICY:**

National Policy

NPPF 2012

NPPG 2014

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 – Delivery and Distribution of new housing

PolicySP3- Affordable Housing

Policy SP4 – Type size 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

## **APPRAISAL:**

The main considerations in relation to this application are:-

- The principle of the proposed development
- Siting, scale, design and external appearance of the building;
- Highway safety;
- The impact of the proposal upon the setting of the nearby Grade 2 listed building;
- Whether the proposal has a satisfactory level of residential amenity space
- Impact upon the amenity of the adjoining neighbours; and
- Archaeology.

The principle of the proposed development

The application site is located within the development limits of Norton. Policy SP2 of the Local Plan Strategy supports new infill development providing it is within a 'continually built up frontage' The site is not in a typical street frontage, however it is surrounded on all sides by existing residential development.. Whilst the policy seeks to prevent backland land development, in this case the precedent has already been set, not least by the presence of a Grade 2 listed building to the eastern side. In view of the surrounding context of residential development and the presumption in favour of sustainable development residential development the erection of new housing on this parcel of land is considered to be acceptable in principle.

Siting, scale, design and external appearance of the building

Policy SP16 of the Local Plan Strategy states:

- 'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:
- Reinforce local distinctiveness
- Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated
- Protect amenity and promote well-being
- To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:
  - Topography and landform that shape the form and structure of settlements in the landscape
  - The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks. The medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale
  - The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings
  - The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further
  - VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement
  - Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures
  - The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail'

In this case, the proposed terrace of 3 dwellings are located behind the established terraced properties on Vine Street. However, the surrounding form of development also includes dwellings that do not have an orthodox street frontage relationship. The proposed dwellings are relatively small cottages, that will respect the scale and form of the existing cottages No. 36 -42 that are already historically positioned with a 'side-on' relationship to Vine Street. The surrounding development is a relatively high density urban environment, and the proposal is not considered to be at odds with that established character and form. It is considered that the layout provided could provide 3 dwellings that are of an appropriate design for the area.

In the circumstances the proposal is considered to comply with the requirements of Policy SP16 and Policy SP20 of the Local Plan Strategy.

#### Highway safety

The Highway Authority has requested revisions to the scheme. These are:

1. The proposed passing point for cars along the shared drive should include a 45-degree entry taper across the corner of the garden area for No. 42 Vine Street.
2. The communal reversing/turning area for the six proposed car parking spaces should be a minimum of 6 metres wide, and therefore needs slightly enlarging.

The agent has submitted these amendments and the Highway Authority are considering these. The implications of Fire Safety have also been discussed with the Highway Authority. They have gone on to state:

'On the current application the dwellings are a minimum of 48 metres away from the road edge. If there are no cars parked on the opposite side of Vine Street at the immediate approach to the access, a fire

service tender will be able to align itself and turn straight into the proposed shared driveway and park up close to the 6 car parking spaces/bin stores area. This would be about 21 metres away from the new dwellings, so still within the guidance distance. However, if parked cars are present, this manoeuvre could not be achieved. Given that the space required to do the turn would mean no parking outside at least 5 of the existing terraced properties, the likelihood is that vehicles are going to be in the way - even if double yellow lines were present (basically they would be ignored). Consequently, the application needs to be considered by the NY Fire and Rescue Service in the context of accessibility, and at the very least, an automatic fire suppression system (or similar) may need to be considered for the new dwellings.'

North Yorkshire Fire Rescue have been consulted, and it anticipated that their views will be available for circulation with the Late Pages or verbally at the meeting.

#### Impact upon the amenity of the adjoining neighbours

The properties immediately to the south (Athol Square) have no windows on their rear elevation and no amenity space beyond the blank 2-storey rear wall. There is a 2 storey projecting rear extension to the south western side. No. 1 Scarborough Road is located to the south eastern side. That property has a rear 2-storey level windows, however it faces No. 3 Scarborough Road and not the application site. No.3 Scarborough Road is located to the eastern side. The proposed dwellings have been sited to respect the position of No. 3 and its setting (it is Grade 2 listed). No. 3 has 2 ground floor windows on its side elevation facing the application site, which currently borrow light of the application site. However, permitted development rights would allow a 2m high fence be positioned on the boundary entirely covering these windows. The proposal respects the position of the windows and the terrace of 3 dwellings is set behind No. 3 Scarborough Road. To the north is the side elevation of No. 42 Vine Street. With the long rear garden of No 34 Vine Street to the west. it is considered that the proposed dwellings can be accommodated on the site without having an adverse effect upon the amenity of the adjoining neighbours in terms of potential overlooking, loss of sun lighting or day lighting or by virtue of massing on the boundary. A condition to ensure suitable boundary treatment is considered to be necessary.

The proposed car parking arrangements will increase the potential for noise and disturbance for the existing and proposed dwellings. However, given the layout and the urban context this is not considered to constitute an unacceptable impact. Furthermore, there are public benefits associated with the scheme relating providing off-street parking and turning.

#### Whether the proposal will provide a satisfactory level of residential amenity

For the existing 4 dwellings, there will be a reduced rear yard areas, but this will be offset by additional amenity space in the middle of the site together with a parking space. The proposed dwellings will have a satisfactory level of amenity space, with a relatively large space to the front. To the rear the properties are approximately 5m from the building to the rear. The Reserved Matters application will be able to carefully consider the internal layout to ensure the proposed dwellings have a satisfactory level of residential amenity space.

#### Impact of the setting of No. 3 Scarborough Road

No. 3 Scarborough Road is a Grade 2 listed building. Policy SP12 of the Local Plan Strategy requires the an assessment of the proposal upon designated heritage assets. S66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 also places a duty on Local Planning Authority to consider the desirability of preserving the setting of listed buildings. The Buildings Conservation Officer has no objection to the proposal. The proposed location is behind the front elevation of No. 3 which itself is located discretely behind other established residential buildings. Its location and form is somewhat of an anomaly in this area. The proposed development is not considered to detract from the setting of the Listed Building given the surrounding character and form.

#### Impact on archaeology

The application site is located in an area of archaeological interest; the County archaeologist has no objection to the proposal.

#### Other issues

The Town Council has objected to the proposed scheme and consider it to be an over-development of the site. There has also been one letter of objection received from No. 3 Scarborough Road also raising whether the scheme is overdevelopment; that there will be an increase in noise and pollution (residential amenity impacts); rights of access to their property; access for emergency vehicles. For the reasons outlined above it is considered that the proposed form of development is acceptable and provides off-street parking and improved amenity spaces for 4 existing properties. It is not considered to be an over development of the site or to have unacceptable residential amenity impacts. The rights of access of the occupier of No. 3 are a civil issue between landowners and not a planning issue. The accessibility requirements in the event of a fire is currently being considered by NY Fire and Rescue, and it is anticipated that Members will be appraised at the meeting.

#### Conclusion

In view of the above, it is not considered that a final recommendation can be made on this application until the views of NY Fire and Rescue have been received.

**RECOMMENDATION:**                      **Made at the Meeting**