

**Item Number:** 7  
**Application No:** 17/01458/MFUL  
**Parish:** Norton Town Council  
**Appn. Type:** Full Application Major  
**Applicant:** Willow Developments Ltd (Mr Wayne Butler)  
**Proposal:** Change of use, alteration and extension to office building (Use Class B1) to form 6no. one-bedroom and 4no. two-bedroom residential apartments (Use Class C3) following demolition of existing conservatory (revised details to approval 16/01848/FUL dated 24.04.2017)  
**Location:** Leat House 71 Welham Road Norton Malton YO17 9DS  
**Registration Date:** 18 December 2017  
**8/13 Wk Expiry Date:** 19 March 2018  
**Overall Expiry Date:** 1 February 2018  
**Case Officer:** Niamh Bonner **Ext:** Ext 325

**CONSULTATIONS:**

<b>Countryside Officer</b>	Condition recommended
<b>Designing Out Crime Officer (DOCO)</b>	Recommendations
<b>Highways North Yorkshire</b>	No objections
<b>Parish Council</b>	No objections subject to listing status

**Neighbour responses:** No responses received

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**SITE:**

Leat House is a Grade II Listed Building situated within a corner plot at the junction of Beechwood Road and Welham Road.

**POLICIES:**

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy  
Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing  
Local Plan Strategy -Policy SP9 The Land-Based and Rural Economy  
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development  
Local Plan Strategy - Policy SP20 Generic Development Management Issues  
National Planning Policy Framework  
National Planning Practice Guidance

**PROPOSAL:**

The proposal seeks approval for the ‘Change of use, alteration and extension to office building (Use Class B1) to form 6no. one-bedroom and 4no. two-bedroom residential apartments (Use Class C3) following demolition of existing conservatory (revised details to approval 16/01848/FUL dated 24.04.2017). ‘

This presents an alteration to the recently approved scheme and forms a major application due to the number of apartments present. The main differences in this application relate to:

- The provision of a further 10th apartment in a proposed single storey extension within the footprint of the previously demolished building.
- Demolition of a small section of the south eastern, comprising moderns building fabric.
- Internal alterations in relation to altered layouts, in the form of stud walls, new doorways and blocking up of existing doorways.
- Replacement of a small staircase leading to the second floor.

## **HISTORY:**

There is extensive planning history regarding the site, dating from 1975 - 1995. The building has been empty for approximately 4 years and has had multiple uses, including officers, a hotel, a bed and breakfast, private dwelling units and a convalescent house.

The most relevant recent planning history related to this property is the following:

16/01848/FUL: Change of use and alterations to office building (Use Class B1) to form 4no. one-bedroom and 5no. two-bedroom residential apartments (Use Class C3) following demolition of existing conservatory and single storey extensions to front and east elevations. Approved

16/01849/LBC: External alterations to all elevations to include demolition of existing conservatory and single storey extensions, removal of fire escape, installation of 6no. timber windows and 2no. timber-framed double doors and re-rendering of east elevation wall together with alterations to internal layout to form 9no. residential apartments. Approved

17/00866/FUL: Erection of single storey extension to east elevation to form a boiler room following the previously approved demolition of existing extensions. Approved

17/00879/LBC: Erection of single storey extension to east elevation to form a boiler room following the previously approved demolition of existing extensions. Approved

The following associated Listed Building Consent is also being pending consideration:

17/01459/LBC: External alterations to all elevations to include demolition of existing conservatory and single storey extensions, removal of fire escape, 1no. new window opening, alterations to some windows and doors and re-rendering of east elevation wall together with alterations to internal layout to form 10no. residential apartments (revised details to approval 16/01849/LBC dated 24.04.2017)

## **APPRAISAL:**

The main considerations to be taken into account are:

- i. The Principle of Development
- ii. Impact upon the Grade II Listed Building
- iii. Impact upon neighbouring amenity
- iv. Access and Highway safety
- v. Trees
- vi. Other Matters, including Consultation Responses

### i) Principle

The principle of conversion of this listed building to provide apartments has already been established and an extant permission, 16/01848/FUL is present. As noted this application is a resubmission for the provision of 10 apartments, rather than the originally approved 9.

The proposal also incorporates internal alterations to the proposed layout of the apartments upon that which was originally approved.

### ii) Impact upon the Grade II Listed Building

The Council's Conservation Specialist and the Case Officer undertook a site visit, where the Conservation Specialist made the following response noting 'no objection in principle, design concerns in relation to apartment 10' in respect of the original design as part of the associated Listed Building Application, however it is considered relevant to include within this report also as a material planning consideration:

*"Leat House is a Grade II Listed Building built as a private house and subsequently a hotel at the date of listing. For clarification, the list description uses the address 'Beechwood Road' rather than Welham Road. The house dates from the mid-late 18th century, extended in the early 19th century remodelled and further extension in the late 19th century. Subsequent additions and alterations have also occurred in the 20th century. It is apparent that there are many different build phases within the property. The house seems to have been built as a 3 storey 4 window property possibly with an earlier (or subservient)*

stone section to the rear. A substantial brick extension was subsequently built to the west of these buildings with a later 2 storey brick lean to added to the north-east and 2 storey extension added to the north-centre, a narrow 2 storey brick and tile hung extension added further to the west. A prominent conservatory is located to the south-east of the building. This is likely to have been a 19th century structure but has been substantially re-built and its form augmented with 20th century accretions and additions. Further ancillary buildings lie to the east of this formerly a boiler house possibly associated with the horticultural use of the conservatory. The spine wall of the conservatory separates the conservatory from the lean-to buildings to the north. These are possibly loosely 19th century in form, but have been re-formed to create shallow pitched lean-to structures in the late 20th century. A substantial timber porch has been built on the front of the listed building. Internally there is north/south circulation in the form of the entrance foyer and staircase, and a secondary east/west corridor in the eastern end of the building. Large reception rooms dominate the ground floor with some unfortunate office subdivision and extension to the south eastern principle room. The building has also been an office, and a convalescent home and has been unoccupied for c. 4 years. Planning Permission and Listed Building Consent were granted in 2016 for the change of use of the building from offices to 9 residential apartments for which development has commenced. The building stands in grounds which have provided car parking/gardens.

*The above application proposes 'External alterations to all elevations to include demolition of existing conservatory and single storey extensions, removal of fire escape, 1no. new window opening, alterations to some windows and doors, and re-rendering of east elevation wall together with alterations to internal layout to form 10 no. residential apartments (revised details to approval 16/01849/lbc dated 24.04.2017)*

*This application seeks to re-configure some of the previously approved apartments and include an extra apartment where the former conservatory and lean-to structures were. I have no objection to the re-configuration of the internal spaces which respond to the internal qualities of the listed building. I do however have some concern with the design of the new window w68 as this is located in the spine wall of the former conservatory and should respond to the differing hierarchies within the listed building and the differing qualities of the architecture. In my opinion this could be a 'transition' window between the polite face of the listed building and the new 21st century appearance of apartment 10.*

*Apartment 10 is located to the east of the listed building partly where the former conservatory was located and partly in the space that lean-to's occupied behind the conservatory. Historically, it is likely that this area had been horticultural as there was a spine wall with a glazed structure to the south and mass walled slated brick 'bothy' type structures to the north and east. In the late 20th century, it appears that the bothies have been re-built in an elongated extended form that is unsympathetic to the character of the listed building. In the previous scheme the unsympathetic lean-to's were proposed for demolition which was supported. Subsequently, a modest boiler house was proposed in the location of the unsympathetic lean-to's.*

*The proposed footprint of Apartment 10 seeks to replicate the former late 20th century unsympathetic lean-to and in addition, augment it with additional building.*

*In my opinion this design does not respond to a character that would be sympathetic to the special interest of the listed building. This is an area of potential interest in that it had a horticultural idiom with glazed structures to the south of the spine wall and bothy structures to the north of the spine wall. This could be used to inform design however the proposed design seems to be an unfortunate and awkward assemblage of horticulture, late 20th century unsympathetic lean-to's and additional build in order to achieve 2 bedrooms. The projection to the south of the spine wall seems to be too short and stunted and does not adequately reference the proportions or roof pitch of a traditional glazed lean-to. The walling is too heavy and does not reference the light appearance and glazed nature of the previous structure. In addition, the use of stone does not relate to the diminishing hierarchies of the site and the former use of brick in this location. The structure to the north of the spine wall is too long giving it an unfortunate shallow roof pitch and takes its reference from a building that is unsympathetic to the listed building. Traditional materials of slate and brick could be used on the north side."*

An email was received from the agent on the 1st February to highlight in relation to window no. 68 that it was part of a previously approved scheme and the Building Conservation Specialist responded to note that on balance, this could therefore be considered acceptable to retain in any revised scheme.

Revised plans were received on the 16th February 2018, which indicate a more appropriately designed Apartment 10, with a more functional/horticultural appearance and the Building Conservation Specialist confirmed that the revised plans had overcome her previous concerns.

It is therefore considered that this revised proposal would not result in harm to the character and significance of this heritage asset in accordance with Policy SP12 Heritage of the Ryedale Plan, Local Plan Strategy and national policy.

#### iii) Impact upon neighbouring amenity

It is considered that due to there being an existing building on the site, the position of the proposed openings, the existing boundary treatments and the overall visual improvement of the building and the site, there will not be a material adverse impact upon neighbouring occupiers. This is in terms of being overbearing in presence, causing loss of light or loss of privacy, complying with Policy SP20 of the Ryedale Plan - Local Plan Strategy.

#### iv) Access and Highway safety

The parking layout remains in the same location as the previously approved plans for approved application 16/01848/FUL. It is noted that the most recent site plan illustrates the parking provision being reduced by 1 space to 14 spaces, in order to facilitate the provision of 2 disabled parking spaces, which themselves, require additional space.

A consultation response confirms that North Yorkshire Highways Team have no objections to the proposal, subject to the previous conditions being updated and repeated.

Conditions 9 and 10, rather than requiring further precommencement information to be submitted indicate that otherwise agreed in writing with the Local Planning Authority, these details shall be as per the information submitted to discharge Conditions 3 and 4 of approved application 16/01858/FUL discharged under conditions application 17/00981/COND.

#### v) Impact upon Trees

The design and access statement notes that the revised scheme will have no impact upon the trees and this correlates with Officer opinion. However it is noted that some trees have been removed since the previous application, although as this site does not lie in a Conservation Area, there was no statutory protection afforded to these trees. A tree survey was submitted in respect of the site, produced in 2016 by JCA Arboricultural and Ecological Consultants (Ref 13008T.)

It is not considered appropriate to require a landscaping scheme for this proposed development, given that there would be limited alterations to the external appearance of the building, aside from the erection of the single storey extension to the eastern elevation. Overall it is considered that this proposal would result in a significant enhancement to the character of the area.

One protected Beech tree, subject to a tree preservation order was situated to the south of Leat House, outside of the red line plan which indicates ownership and it is noted that this tree appears in Council records to be associated with 69a Welham Road, not the application site. A site visit indicates that this protected tree has been removed and therefore the Countryside Officer has been made aware of this issue for investigation and members will be updated at the Committee Meeting.

The extension to form Apartment 10 would be located within close proximity to two existing trees and the canopy spread of these trees would partly be located over this proposed extension, which would result in concerns in relation to their root protection during the construction phase. It is however important to note that the proposed extension, whilst in close proximity to these trees spans no closer to

these trees than the previous development, which was demolished. The Council's Countryside Specialist has been consulted with regard to this application and has recommended a condition in relation to root protection.

It is noted that the previously approved scheme incorporated no alterations to the car parking areas, as confirmed by the agent and no alteration to this area proposed for the current application. The agent has reconfirmed this to be the case for this current application.

It is therefore considered that subject to the proposed condition, there will be no adverse impact upon the trees within the site. It is noted that previously no condition in relation to landscaping was requested and it is considered acceptable in this instance to be consistent with this approach.

vi) Other Matters, including Consultation Responses

It is noted that no overall objection was received from Police Architectural Liaison Officer, however comments were received seeking the inclusion of a secure cycle storage unit within the scheme.

The agent confirmed that this was not a requirement of the previous scheme for 9 units and that this secure cycle storage could be achieved by future residents within the communal areas. On balance, it is considered that this approach is acceptable, given the level of communal space available it is likely that future occupiers may prefer this approach.

The Parish Council have confirmed no objection to the proposal. They did note the listing status of the building should be checked to ensure the fenestration and shell of the property were protected. It is noted that by nature of its listing, any works to Leat House that formed material alterations, including to the external appearance and fenestration would require listed building consent through the formal application process.

No other letters of representation have been received.

It is therefore considered that the proposal for the altered 10 apartments remains acceptable and subject to the recommended conditions, continues to accord with Policies SP1, SP2, SP9, SP12, SP19, SP20 of the Ryedale Plan Local Plan Strategy.

**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            The development hereby permitted shall be carried out in accordance with the following approved documents/plan(s):

Site Location Plan

Elevation Survey - Leat House Sheet 1 of 2 (Drawing no WCG/0523T/12)

Elevation Survey - Leat House Sheet 2 of 2 (Drawing no WCG/0523E/2:2)

Internal Measured Survey Leat House - Ground Floor (Drawing no WCG/0523GF/1:1)

Internal Measured Survey Leat House - First Floor (Drawing no WCG/0523FF/1:1)

Internal Measured Survey Leat House - Second Floor (Drawing no WCG/0523SF/1:1)

Ground Floor Plans - As Proposed (Drawing no. W102.01.15 Rev M)

First Floor Plans - As Proposed (Drawing no. W102.01.16 Rev L)

Second Floor Plans - As Proposed (Drawing no. W102.01.17 Rev E)

Elevation A - As Proposed (Drawing no. W102.01.18 Rev K)

Elevation B - As Proposed (Drawing no. W102.01.19 Rev D)

Elevation C - As Proposed (Drawing no. W102.01.20 Rev F)

Elevation D - As Proposed (Drawing no. W102.01.21 Rev K)  
Site Plan - As Proposed (Drawing no. W102.01.14 Rev E)

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

- 3 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. These materials should include re-pointing if undertaken and rainwater goods.

Reason: To ensure a satisfactory external appearance of the Listed Building and to satisfy the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 4 Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, details of all external joinery, including 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. These shall be shown on a 1:10 scale drawing and include cross sections.

- 5 Notwithstanding the submitted details, prior to commencement of the development hereby permitted, the precise details including positioning and appearance of any mechanical extraction, ventilation or soil pipes shall be submitted to and approved in writing by the Local Planning Authority.

- 6 Prior to the commencement of the development hereby permitted, precise details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate appearance of the Listed Building and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 7 The development hereby permitted shall be carried out in accordance with the: Heritage Statement - Leat House, Norton dated November 2017 carried out by 2RB Planning (Rachael Bartlett).

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

Reason: To ensure an appropriate appearance of the Listed Building and to comply with the requirements of Policies SP12, SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number W102.01.14 Rev D. 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.

- 9 Unless otherwise approved in writing by the Local Planning Authority, precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site shall be as per the details submitted to and approved in writing by the Local Planning Authority in relation to Condition 3 of approved scheme 16/01848/FUL, discharged under conditions application 17/00981/COND.

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.

- 10 Unless approved otherwise in writing by the Local Planning Authority the establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site shall undertaken as per the details submitted to and approved in writing by the Local Planning Authority for Condition 4 of approved scheme 16/01848/FUL, discharged under conditions application 17/00981/COND 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.
  - c. 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.

- 11 Before being hereby approved, details of the form and position of fencing, which shall comply in full with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations, for the protection of those trees, shrubs and natural features not scheduled for removal shall be submitted to and be to the written approval of the Local Planning authority, and such fencing shall be erected in the positions approved before the development is commenced and thereafter retained until such completion of the development, to the approval of the local Planning authority.  
Hereafter, the fencing shall be referred to as the 'approved protection zone'.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, having regard to local plan policy SP13, coupled with paragraphs 17,117, and 118 of the National Planning policy Framework 2012.

## **INFORMATIVE(S)**

- 1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under section 41/42 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried out the work.  
Contact details: Natural England, 4th Floor, Foss House, Kings Pool, 1 - 2 Peasholme Green, York, YO1 7PX Tel: 0300 060 1911
- 2 The applicant's attention is drawn to the detailed security recommendations made within the consultation response received from the Police Architectural Liaisons Officers dated 22nd January 2018.