

Item Number: 12
Application No: 18/00080/FUL
Parish: Birdsall Parish Council
Appn. Type: Full Application
Applicant: Edward Hartshorne
Proposal: Erection of two storey extension to north elevation including single storey porch and formation of terrace with steps down to sunken garden with east and west boundary walls, erection of replacement entrance canopy and replacement of 5no. windows to south elevation, replacement of 2no. windows to east elevation and erection of two storey bay window, replacement of 2no. windows and formation of terrace with steps up to lawns to west elevation following demolition of existing rear extensions, together with erection of a one bedroom self-contained guest cottage and erection of a detached garage/car port with loggia to south elevation and office/store room above following demolition of existing outbuildings, together with alterations to existing vehicular access.
Location: The Old Vicarage Hogg Lane North Grimston Malton YO17 8AX
Registration Date: 13 February 2018
8/13 Wk Expiry Date: 10 April 2018
Overall Expiry Date: 25 April 2018
Case Officer: Alan Goforth **Ext:** Ext 332

CONSULTATIONS:

Yorkshire Water Land Use Planning	no response received to date
Public Rights Of Way	recommend condition
Parish Council	Objections
Highways North Yorkshire	recommend condition

Neighbour responses: Mr B Stone, Lord Middleton,

SITE:

The Old Vicarage is a detached four bedroom property set within substantial and well landscaped grounds (0.6ha) in the village of North Grimston. The main access to the property is off Hogg Lane (B1248) which runs parallel to the southern boundary of the site. The application site is outside of the village development limits and falls within the Wolds Area of High Landscape Value (AHLV). Public Footpath no. 25.12/6/1 runs north-south parallel to the eastern boundary of the application site.

The Old Vicarage is located in the older part of the village and adjacent to the Grade I listed St Nicholas's Church (to the west), the Grade II listed The Yard (30m to the south east) and the Grade II listed North Grimston House which is set within wooded parkland grounds (100m to the north west).

The Old Vicarage is a two storey dwelling of C19th origin which has been subject to more recent alterations and additions forming the northern range. Externally the building is concrete rendered with a Welsh slate roof and timber framed windows. The building is in a part dilapidated condition with damp having penetrated the foundations and external walls.

PROPOSAL:

The application seeks permission for the erection of a two storey extension to the north elevation including single storey porch and formation of terrace with steps down to sunken garden with east and west boundary walls, erection of replacement entrance canopy and replacement of 5no. windows to south elevation, replacement of 2no. windows to east elevation and erection of two storey bay window, replacement of 2no. windows and formation of terrace with steps up to lawns to west elevation following demolition of existing rear extensions, together with erection of a one bedroom self-contained guest cottage and erection of a detached garage/car port with loggia to south elevation and office/store room above following demolition of existing outbuildings, together with alterations to existing vehicular access.

The works to extend the dwelling to the north would require the demolition of the existing rear extensions (northern range), a car port and store outbuildings.

The two storey extension off the north elevation would extend approximately 9.6m and stand at a height of 8m (hipped roof) which follows the roofline of the existing part of the dwelling but is lower than the front of the house. The north extension would create a kitchen and living room at ground floor and bedrooms at first floor. A rooflight on an internal facing pitch of the roof would provide natural light to the atrium and landing. Externally the north elevation would be glazed with double doors at ground floor level that open out onto a raised balcony area with steps down to the sunken garden containing a pond beyond which would be a detached building comprising a loggia, garage/car ports. The loggia, garage/car ports would have a footprint of approximately 120m² and would be clad with horizontal timber boarding on the side and rear walls. It would stand 5.5m high with dormer style windows in the hipped roof.

The front entrance on the south facing elevation would be rebuilt with decorative stone pillars flanking the doorway. On the western side the existing ground floor bay window would be replaced with a two storey bay window including double doors leading out from the drawing room onto an external walled terrace area with steps down to the lawn. A single storey porch would also be added with a door in the west elevation. A single entrance door would be in the east elevation of the extension at ground level to provide access to a boot room.

The building and new extensions would have a rendered finish, timber windows and a reclaimed Welsh slate roof covering. Walls would be restored York stone and in addition solar panels would be installed on the flat section of the hipped roof of the extension at the rear of the building.

The demolition of the detached double garage (36m²) in the north west corner of the site would allow for the construction of a detached 'garden cottage'. The garden cottage would be built into the existing internal garden stone wall that runs north-south in the northwest corner of the site. The garden cottage would have a footprint of approximately 45 square metres and would stand to a maximum ridge height of 5.9m above ground level. It would have a rendered exterior to match the main house and an anthracite coloured zinc roof covering with narrow roof lights in the west facing side. The ground floor would be the habitable space including a small kitchenette and the attic would be a 'studio' only. The Applicant has indicated that the cottage would only be for use by family members, or short term accommodation for visiting elderly relatives.

There are no proposals to alter the existing boundary treatments which comprise of a stone wall and existing evergreen tree planting. The main access would remain on the southern boundary onto the B1248. A new gravel driveway would be created to the west of the existing and would require the removal of four trees that are set back within the site.

HISTORY:

There is no planning history relevant to the application under consideration.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy –Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

National Planning Policy Framework 2012 (NPPF)

National Planning Practice Guidance 2014 (PPG)

APPRAISAL:

The main considerations in the determination of this application are considered to be:

- i) Principle of the development;
- ii) Design, character and form;
- iii) Impact on the AHLV;
- iv) Impact on neighbouring amenity;
- v) The use of the ‘garden cottage’; and
- vi) Highways impact.

i) Principle of the development

The Old Vicarage is located outside of the development limits and falls within the Wolds Area of High Landscape Value. The proposed development would relate to land and buildings within the existing curtilage of the property which is detached and benefits from extensive gardens and walled and planted boundaries. The proposed development relates to a building that has fallen into disrepair and Policy SP4 supports increased housing choice and the provision of high quality housing through, inter alia, the re-use of empty properties. The development would redevelop the building to create a five bedroom property with ancillary outbuildings. The proposed development is acceptable in principle subject to consideration of the design, scale and appearance and the impacts of the development.

ii) Design, character and form

The building frontage would have the addition of a new entrance that would restore and enhance the appearance of the south elevation. The additions to the side and rear were not considered to be detrimental to the overall character of the building and would be of a scale, design and external finish that complements the overall character of the dwelling. The introduction of glazing to the rear elevation to allow views onto the sunken garden would not be detrimental to the appearance and form of the building. The two storey extensions would follow the existing roofline and slightly step down from the higher roof at the front, southern side of the building.

The Applicant has confirmed that the restoration works will include the installation of appropriate insulation, damp proofing and sustainable heating. The addition of solar panels to a rear part of the roof would not be visually obtrusive and would align with the aims of Policy SP18.

In light of concerns raised in representations from the Parish Council and members of the public, the potential impact of the development upon the setting of the nearby Grade I listed church and two Grade II listed dwellings has been discussed with the Council's Building Conservation Specialist. It is noted that the proposed garden cottage would have a slightly larger footprint and also a higher ridgeline than the existing double garages. The representation from the Parish Council has raised concerns about the appropriateness of the appearance of the garden cottage. It is considered that the garden cottage would be subservient to the main dwelling in scale, mass and appearance and the zinc roof covering would incorporate a standing seam reminiscent of corrugated roofs of outbuildings and the colour would create a shadow effect when viewed against the adjacent mature tree planting.

At its closest point the garden cottage would stand approximately 45m from the eastern gable end elevation of the Grade I listed church and over 100m from the Grade II listed North Grimston House. The garden cottage would be screened and separated from the Grade I listed church by established tree planting and the western portion of The Old Vicarage's garden. The western boundary of The Old Vicarage would benefit from additional under planting to be secured by condition, otherwise views from the listed building towards The Old Vicarage are screened by the substantial evergreen tree planting on all sides.

The Building Conservation Specialist has confirmed the view of the case officer that the substantial planting that exists on the site boundary makes an important contribution to the character of the site and also screens views from nearby designated heritage assets and would not result in conflict with Policy SP12 or the duty under S66 of the Planning (Listed Buildings and Conservations) Act 1990.

The Applicant has completed a tree survey and indicated that the trees to be removed would be those set back within the site to allow for the new gravel driveway. These comprise three young Yew trees and a conifer that do not contribute to the screening of views into or out of the site, or to the local landscape character.

The Applicant has confirmed that they intend to retain, enhance and improve the existing planting at the site. In addition the boundary planting immediately adjacent to the double garage would be retained to screen the garden cottage.

To protect the settings of the listed buildings, if planning permission is granted, a condition requiring landscape enhancement and management particularly on the site boundaries adjoining the listed buildings to the west and north would be imposed. It is considered that the scale, design and appearance of the extensions and new building elements would be sympathetic to the existing dwelling and would be appropriate in accordance with Policies SP16 and SP20.

iii) Impact on the AHLV

The site is enclosed by dense tree planting with a self-contained setting with no direct or clear views available from outside of the grounds, with the exception of a short break in the tree planting which gives views into the site from the east.

The proposed scale, materials and colour finishes for the extensions, garages and garden cottage are compatible with The Old Vicarage building and are not considered to detract from the landscape character of the area. The siting and design of the rear extensions are considered acceptable and there would be minimal impact upon the character of the valued landscape in this area and the development is considered to be compliant with Policy SP13.

iv) Impact on neighbouring amenity

With regard to overlooking, loss of privacy or the potential for an overbearing impact it is considered that the rear extensions to The Old Vicarage are of an appropriate scale and form and benefit from the

substantial grounds, garden and boundary treatment that screen and separate the dwelling from neighbouring buildings and land uses.

The representation received from the occupants of North Grimston House raised concerns about loss of privacy arising from a window proposed in the north facing elevation of the detached garden cottage. The narrow slot window (0.5m x 2m) would be installed at a height of 1.5m above ground level providing light into a small kitchenette area. The window would face onto a hedged and fenced boundary beyond which is the drive way to North Grimston House. In response the Applicant has amended the plans to confirm that the north facing window would be opaque glazed and fixed (non opening). The amendment to the window is proposed to be secured by condition and it is considered that it would not give rise to a loss of privacy in accordance with Policy SP20.

v) The use of the 'garden cottage'

Representations received have raised concerns in relation to the purpose and use of the proposed garden cottage. It is the Officer view that the proposed building would be inappropriate for permanent or separate residential use. In light of this the use of the garden cottage annex shall be limited by condition in line with the requirements of Policy SP21 (d) so that it cannot be separately let out, sold or used as a separate dwelling and shall remain ancillary to the main house and only occupied by members of the family of the occupier.

vi) Highways impact

The Local Highway Authority (LHA) note that although no new access to the public highway is proposed, the widening of the existing access direct onto the B1248 will require the footway crossing to be widened, and the construction specification upgraded to cater for construction/delivery traffic during the build phase.

The existing vehicular access has appropriate visibility, and there would be sufficient parking and turning areas within the site to serve the property during construction and subsequent occupation. Subject to the recommended conditions the LHA has raised no objection to the proposed development. In light of the above it is considered that the development would not result in conditions prejudicial to road safety and complies with the relevant part of Policy SP20.

Conclusion

The Old Vicarage occupies a significant position within the village characterised by its setting and form although it is considered that the building does not include any external (Georgian or otherwise) architectural features of merit and in recent years has fallen into a dilapidated state. It is considered that the principle of the development is in line with national and local planning policy and represents a sensitive redevelopment, restoration and extension of building that has the potential to make a significant contribution to the character of the village. The development site is suitably landscaped by established tree planting that will be retained and enhanced and there are no setting issues in relation to nearby listed buildings or the wider area of landscape value. In light of the above the recommendation to Members is one of approval.

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 plans:

Site Location Plan, dated 26.01.2018

Proposed and Existing North Elevation, drawing no. NGV1, dated January 2018

Proposed and Existing South Elevation, drawing no. NGV2, dated January 2018

Proposed and Existing Ground Floor Plans, drawing no. NGV3, dated January 2018

Proposed and Existing West Elevation, drawing no. NGV4, dated January 2018

Proposed and Existing East Elevation, drawing no. NGV5, dated January 2018

Existing, Proposed 1st Floor, Proposed Roof, drawing no. NGV8, dated January 2018

Garaging and Upper Room, drawing no. NGV9, dated January 2018

Garden Cottage, drawing no. NGV10, dated January 2018

Garden Cottage Elevations, drawing no. NGV11, dated January 2018

Proposed Site Plan, drawing no. NGV12, dated January 2018

Block Plan, drawing no. NGV12, dated January 2018

Block Plan (showing tree removals), drawing no. NGV12a, dated April 2018

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

- 3 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.

- 4 The 'garden cottage' annex hereby permitted shall be, and shall remain, ancillary to the use of the dwelling currently known as The Old Vicarage, shall not be sold or let off separately, shall be used only by members of the family of the occupier of the main dwelling and shall at no time be occupied as a separate or self-contained dwelling unit.

Reason: The application site is within an area where planning policy precludes the provision of new dwellings.

- 5 The north facing window of the proposed 'garden cottage' annex shall be non-opening and be permanently glazed with frosted or opaque glass of a type to be submitted and approved in writing by the Local Planning Authority prior to the occupation of the building.

Reason: To protect the privacy of adjoining properties.

- 6 The trees shown to be retained on Block Plan (showing tree removals), drawing no. NGV12a, dated April 2018 shall be protected during the development of the site in accordance with a tree protection scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that the trees to be retained on the site do not suffer damage that might prejudice their long term retention, resulting in a loss in visual amenity.

- 7 Before any part of the development hereby approved commences, a landscape 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.

- 8 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 to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

a) The existing access direct onto the B1248 (Hogg Lane) shall be improved by widening as required on the north side to suit the proposed wall position and upgrading in construction specification in accordance with Standard Detail DC/E9A to cater for construction / delivery traffic during the build phase and domestic/ operational traffic allied with the occupation of the dwelling thereafter.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 9 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on Proposed Site Plan, drawing no. NGV12, dated January 2018 for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason: To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 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.

Reason: 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.

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 No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.