

Application for full planning permission for the erection of single dwelling

At Derwent Mount, 6 York Road, Malton

Mr B Abbott

PLANNING STATEMENT

September 2018

Reference: MF/17/040

Maria Ferguson Planning
Hunter Hill
Little Crakehall
Bedale
North Yorkshire
DL8 1LA


www.mariaferguson.co.uk



CONTENTS

- 1.0 INTRODUCTION AND BACKGROUND
- 2.0 SITE DESCRIPTION
- 3.0 PROPOSAL
- 4.0 RELEVANT PLANNING HISTORY
- 5.0 PLANNING POLICY
- 6.0 KEY ISSUES AND CONSIDERATIONS
 - 6.1 PRINCIPLE OF DEVELOPMENT
 - 6.2 RESIDENTIAL AMENITY
 - 6.3 TREES
 - 6.2 DESIGN AND ACCESS STATEMENT
 - 6.3 ACCESS AND PARKING
- 7.0 HERITAGE STATEMENT
- 8.0 CONCLUSION



1.0 INTRODUCTION AND BACKGROUND

- 1.1 This statement has been prepared on the instructions of Mr B Abbott to accompany and support an application for full planning permission for the erection of a single dwelling on land to the rear of Derwent Mount, 6 York Road, Malton. This statement also provides the necessary information in relation to heritage matters, in accordance with the requirements of the National Planning Policy Framework (NPPF).
- 1.2 The application is also accompanied by the following plans and documents:
- Application forms and ownership certificate, duly signed
 - Site location plan
 - Planning / design and access / heritage statement, Maria Ferguson Planning, September 2018
 - PD227-01A – As proposed ground floor plan
 - PD227-02 A– As proposed east and west elevations
 - PD227-03 A – As proposed north and south elevations
 - PD227-04A – Existing and as proposed site block plans
 - Arboricultural Impact Assessment, Barnes and Associates, September 2018

2.0 SITE DESCRIPTION

- 2.1 Derwent Mount is a large residential property located at the south west side of Malton, with a frontage onto York Road. It is semi-detached, and set back from the highway edge by some distance. In common with other properties on York Road, it is set within substantial grounds, which are used for gardens and parking. There are a number of trees of varying quality within the curtilage of the property.
- 2.2 Access to the site is taken directly from York Road, via a private driveway.
- 2.3 6 York Road itself is a 3 storey brick dwelling. The occupiers operate their veterinary business from the property, which is therefore in mixed use.
- 2.4 The site lies within the development limits of Malton, and within its conservation area.
- 2.5 Planning permission has recently been given for the demolition of outbuildings and the erection of garaging associated with numbers 6 and 8 York Road, Malton. This has not yet been implemented.

3.0 PROPOSAL

- 3.1 Full planning permission is sought for the erection of a single storey detached dwelling to the rear of the existing property. Access to it will be shared with 6 York Road, and an area of the new site given over to parking and gardens.



4.0 RELEVANT PLANNING HISTORY

4.1 The application follows an earlier proposal for which an application for planning permission was submitted in September 2017 (reference 17/0113/FUL applies). This application was withdrawn. An application was recently approved for the demolition of some outbuildings and the erection of garaging connected with numbers 6 and 8 York Road (reference 18/0325/FUL). This was approved in May 2018 and as yet is unimplemented. In addition, the following recent planning applications have been received in relation to the property:

- 2006/0920/FUL – Alterations to two storey wing to form single storey domestic accommodation with store above (approved)
- 2016/0343/FUL – Change of use of part of dwelling to B1(a) office use with associated business and residential parking with rest of dwelling to remain as residential use (Use Class C3) for persons associated with the business use (approved)

5.0 PLANNING POLICY

5.1 Listed buildings and conservation areas are given statutory protection by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990. When considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

5.2 In addition, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”

5.3 The National Planning Policy Framework (NPPF) was published in March 2012, and the accompanying Planning Practice Guidance (PPG) was published in 2014. These documents contain the Government’s planning policies and guidance.

5.4 NPPF imposes a presumption in favour of sustainable development (paragraph 14). This means that where development proposals accord with an up to date development plan, approving planning permission without delay. Where development plan policies are silent or out of date, planning permission should be approved unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

5.5 NPPF sets out specific requirements in relation to development affecting heritage assets. These are addressed in section 7.0 of this statement below (Heritage Statement). Paragraph 49 of NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 56 states that the Government attaches great importance to the design of the built environment, identifying this as a key aspect of sustainable development.

5.6 The Development Plan for the area comprises the adopted Ryedale Local Plan (March 2002), as saved, and the Ryedale Plan Local Plan Strategy (September 2013). The Local Plan Strategy (LPS) supersedes much of the Ryedale Local Plan, but for a number of policies not relevant to this application. The site is identified as being within development limits and within the Malton Conservation Area on the adopted proposals map.



5.7 The following policies are relevant to the application to which this statement relates:

- **Policy SP1 – General Location of Development and Settlement Hierarchy**
This identifies Malton as a principle town, where a high proportion of new development will be located. The key principles of development in Malton include ensuring development is sensitive and responsive to different historic character areas and that higher density development is in the town centres.
- **Policy SP12 – Heritage**
This policy provides that designated historic assets and their settings, including Conservation Areas, will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset.
- **Policy SP19 – Sustainable Development**
Policy SP19 simply replicates the principles of the presumption in favour of sustainable development as set out in NPPF.
- **Policy SP20 – Generic Development Management Issues**
The text of this policy is contained under four subheadings (character; design; amenity and safety; and access, parking and servicing). Its requirements relate to all new development within the Plan area. The policy requires, inter alia, that new development will respect the character and context of the immediate locality and the wider landscape/townscape character, and that it will be compatible with the surrounding uses. The design of new development should be sympathetic to the character and appearance of the surroundings and respect the amenity of neighbouring properties. All new development will be expected to have a safe and suitable access.

6.0 KEY ISSUES AND CONSIDERATIONS

6.1 Principle of Development

- 6.1.1 The application site is located within the defined limits of Malton in a location which has good access to services, shops and facilities. It occupies a relatively central location within a town which is identified as being the primary location for new development in the District. The site is in a sustainable location.
- 6.1.2 The proposal constitutes 'backland' development, but can be achieved while adhering to good separation and amenity standards. There will be no erosion of living conditions of occupiers of nearby dwellings as a result of the development proposed. The increased use of the shared access, due to its position in relation to the dwelling and the orientation of the dwelling itself, will not result in increased disturbance to the occupiers of each adjacent dwelling. Therefore, while technically backland development, the construction and occupation of the house will result in no harm to amenity and is therefore acceptable in principle.

6.2 Residential amenity

- 6.2.1 6 York Road is a substantial property, but set within large gardens. The gardens extend behind number 4 York Road, and as such is poorly related to the host property. The large garden is



difficult to maintain and surplus to the requirements of the occupiers of 6 York Road. While the development will result in the loss of garden to the property, a significant area of amenity space consistent with the scale of the property and neighbouring buildings will be retained to serve its needs. The new dwelling will also benefit from adequate external amenity space.

- 6.2.2 The location to the rear of existing properties is acknowledged, and the proposed dwelling has been carefully designed and sited to ensure that the living conditions of occupiers of neighbouring properties are protected in terms of privacy and outlook. While the view from neighbouring dwellings will change, good separation can be achieved such that acceptable standards are maintained. The retention of boundary trees, and their ongoing protection further mitigates the impact of the proposed dwelling on the amenity of neighbours.

6.3 Trees

- 6.3.1 The application site is located within the conservation area with a number of trees in the site and particularly to its boundaries. The trees are protected by virtue of their conservation area location, though it should be noted that the majority of the trees are not seen from public views and therefore their visual contribution to the character of the area is limited to private views only. It is nevertheless desirable to retain the important trees within the site, and ensure they are considered centrally to the development. This provides an attractive setting to the development, ensuring the completed dwelling will have high standards of design and amenity, but also ensures any contribution the trees make to the conservation area continues.
- 6.3.2 A tree survey was therefore commissioned by the applicant prior to the proposed dwelling being designed, and the findings informed the siting, scale and layout of the proposed development. Thereafter, an Impact Appraisal was carried out to ensure that the site could be developed in the way proposed without harm to important trees within the site.
- 6.3.3 A copy of the relevant report accompanies the application to which this statement relates. It is not proposed to repeat the findings and conclusions of this report here, but briefly it can be summarised that the design has been influenced by the condition of the trees and has extended primarily into areas occupied by poor quality trees, which can be either removed and replaced and supplemented by the additional landscape scheme. The scheme requires the loss of 9 trees and 2 groups and 1 tree due to its condition. The losses include 6 No. low value 'C' category trees or part of groups in addition to 2 'B' category trees and 2 'A' Category trees and one category 'U' tree, T1987. The removal of T1987 is proposed due to its condition.
- 6.3.4 In addition, the scheme does enter the Root Protection Area of some of retained trees and therefore offers foreseeable risk to several trees. These areas have been shown on the plan as Tree precautionary zones. Protection in line with BS5837:2012 will be required to avoid significant negative changes. Protection can be achieved through erecting and maintaining Tree Protection Fencing and installing Ground Protection for the duration of the project. Further long-term protection of retained trees can be achieved by adopting low impact construction methods as discussed in the report and highlighted on the Arboricultural Impact Assessment Plan. This can, if required, be expanded upon within a conditional Arboricultural Method Statement, which could be the subject of a suitably worded planning condition.
- 6.3.5 Providing appropriate protection is installed and maintained, the proposed changes can be undertaken and the risk to trees can be controlled enabling the trees to continue to screen and frame the entrance and help provide separation between the site, neighbouring properties and the public realm.



6.4 Design and Access Statement

- 6.4.1 Every care has been taken in the design of the development to ensure that its scale, proportions, height and appearance are respectful of the surrounding site character. Further informal discussions have taken place with planning officers to arrive at a suitable scheme which protects the character and appearance of the Conservation Area. Cues are taken from the surrounding built form and styles, and owing to the presence of large Victorian Villas on the site frontage, it was considered that the development should adopt a subordinate and subservient building style (and scale). Single storey dwelling is therefore more appropriate and in-keeping with the site surrounding, taking on the appearance of a service building to the main dwelling. While precise details of materials can be agreed by way of planning condition, the house would be built in the palette of materials consistent with surrounding buildings.

6.5 Access and Parking

- 6.5.1 The new dwelling proposed will share the existing with the existing dwelling and business. The new dwelling will not significantly increase traffic movements to the site over and above those already occurring. The access to the site is capable of accommodating the small increase anticipated, having regard to the vehicle movements associated with 6 York Road and the veterinary business operating there.
- 6.5.2 Three approved car parking spaces as set out in application reference 16/0343/FUL will be lost to the development. However, this leaves nine spaces available to the existing property which is more than sufficient since the business does not normally involve visiting members of the public. New parking adequate to serve the proposed dwelling will be provided within the site.

7.0 HERITAGE STATEMENT

- 7.1 The planning requirements in relation to heritage assets and their preservation during development are set out within section 16 of NPPF (2018). Paragraphs 189 - 192 of NPPF state that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Description of significance of heritage assets

- 7.2 The only designated heritage asset affected by the proposed development is the Malton Conservation Area. A Conservation Area Character Appraisal was prepared by the Council in 1996 which as a document simply replicates the old Local Plan and provides details of local materials and architectural styles. However, it also provides a good description of this asset. The application site lies just within the boundary of the Conservation area at the western edge of the western extension (identified as Area 4 within the Appraisal). This area is described as bringing into the Conservation Area a suburb of Victorian Villas of post railway age, comprising mainly stone built semi-detached dwellings with welsh slate roofs, and timber sash and bay windows.
- 7.3 The Appraisal notes the large gardens to the properties and the importance of mature trees and boundary walls to the appearance of this part of the town.



Impact of development on significance

- 7.7 The LPS states that designated historic assets and their settings, including Conservation Areas will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset
- 7.8 The proposed dwelling will not be highly visible from outside of the site and from public views. Significant open space will be retained around the new building, ensuring that this aspect of the site and its surroundings will be preserved. This part of the town is not strongly linear in form, meaning that the pattern of development will not be disrupted by the location of the proposed dwelling to the rear of existing properties on York Road. Please note, the dwellings of Castle Howard Road and St. Andrews Lodge to the north of the site.
- 7.9 The use of materials sensitive to the surroundings will be crucial in ensuring a completed development which contributed in a positive way to the character and appearance of the Conservation Area. It is expected that final details will be reserved by a carefully worded planning condition but materials are proposed as follows:
- | | |
|---------|-----------------------------------|
| Walls | Stone (to match St Andrews Lodge) |
| Roof | Slate |
| Windows | Timber or aluminium windows |
| Doors | Timber |
- 7.10 Such conditions can also apply to the finer joinery and architectural detail of the property. Aside from that however, the proposed elevations demonstrate that surrounding architectural features of significance are respected in the design which would be sympathetic to the style of nearby buildings, and that regard has been had to the contents of the Council's Character Appraisal for the area.

8.0 CONCLUSION

- 8.1 The proposed development would be in a sustainable and central location close to facilities, shops and services, in an area where it can be supported and where it can contribute to the viability of those services and facilities. The location of the development generally and in principle is supported by policies contained within the LPS and NPPF.
- 8.2 While occupying a technically backland location, this would give rise to no harm to the amenity of future occupiers or existing residential property due to the careful siting and design of the proposed dwelling. Further, the surrounding pattern of development could accommodate this form of development without harm to the character and appearance of the Conservation Area.
- 8.3 The development proposed would benefit from a safe and satisfactory access, and adequate parking. Sufficient parking would remain available to 6 York Road.
- 8.4 Important trees within the site will be retained and protected during the course of the development proposed. The trees which are to be retained will continue to contribute to the setting of the development and its surroundings.



- 8.5 The development proposed has been carefully designed and sited so as to make a positive contribution to the site and surroundings, and can be provided without harm to the character and appearance of the wider Conservation Area.
- 8.6 The proposed development is in accordance with the development plan and as such it is hoped that a favourable decision can be made on the planning application.