

Item Number: 13
Application No: 19/01237/FUL
Parish: Norton Town Council
Appn. Type: Full Application
Applicant: Mr Chris Moss
Proposal: Erection of 1no. replacement four bedroom dwelling with associated landscaping
Location: Wold House Bungalow Langton Road Norton Malton YO17 9QG

Registration Date: 5 November 2019
8/13 Wk Expiry Date: 31 December 2019
Overall Expiry Date: 5 December 2019
Case Officer: Rachael Balmer **Ext:** 43357

CONSULTATIONS:

Norton Town Council Recommend refusal on the grounds that the building is out of keeping with the other buildings around it.
Highways North Yorkshire Recommend conditions
Yorkshire Water Land Use Planning

Neighbour responses: Ms Andrea Jeffery,

1.0 SITE:

- 1.1 Wold House bungalow is a modestly sized, mid-century bungalow positioned on the edge of a complex of currently unused stables, sheds and other equine equipment including a ménage and equine therapy pool. The property is situated within the Wider Open Countryside, some distance from the built edge of Norton.
- 1.2 The red outline concerns the access and the dwelling and garden area. The paddock and large store (with B8 use) are within the applicant's ownership.
- 1.3 The site is within the Wolds Area of High Landscape Value. The site is within a partial hollow, and rising land is to the south, west, and to the east, with the land to the north on a prevailing general slope. The site is accessed from the east (Langton Road), and passes through the existing build complex to the site of the bungalow.
- 1.4 It was noted on site that a lodge was being used on the site, and is also on photographs submitted in supporting documents. It is not clear how long this has been situated on the site. The Case Officer sought clarification from the Agent regarding its situation. They have confirmed it is to provide temporary accommodation for the applicant.

2.0 PROPOSAL:

- 2.1 Planning permission is sought for the demolition of the existing dwelling. In its place is proposed a single two storey property positioned on the same site, with landscaping and parking. The dwelling would be about twice the size of the footprint of the existing bungalow. It is positioned to be perpendicular to the large storage building; which is to the east of the bungalow. It is also stepped in its overall form; with the first floor being closer in size to the original bungalow.
- 2.2 The plot is sloping. The entrance would be first floor and this would be where the open-plan living space would be provided, with a terrace to the full extent of the south and west facing elevations. The garage and utility would also be on this level. The basement would be access by a central spiral staircase. The ground floor would also have a wrap-around terrace, covering half of the western and two thirds of the southern elevation. Each bedroom and the main bathroom would have access to this space. Two of the bed rooms would have ensembles. Three are double bedrooms and one is a single/office/study. The eastern and northern parts of this level would be subterranean, with the southern and western areas being at ground level.
- 2.3 The external finish of the dwelling is proposed:
- Timber clad walls, green roof, and
 - Boundary treatments are to be retained as existing
 - Extensive glazing is proposed- the finish of any supporting structure for the glazing has not been provided, nor details of the finish of the doors.
- 2.4 Foul sewerage would be treated via a septic tank, surface water via soakaway.

3.0 HISTORY:

- 3.1 19/00225/FUL Change of use from equestrian storage building to form a commercial document storage building (Use Class B8)- approved 03.04.2019

4.0 POLICY:

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of any planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises:

The Ryedale Local Plan Strategy (2013)

The Policies Map (2019)

The Local Plan Sites Document (2019)

The Yorkshire and Humber Plan (Regional Spatial Strategy)- York Green Belt Policies (YH9 and Y1)

(The latter two components are not considered as part of the determination of this proposal)

The Ryedale Plan - Local Plan Strategy (5 September 2013)

Policy SP1 General Location of Development and Settlement Hierarchy

Policy SP2 Delivery and Distribution of New Housing

Policy SP12 Heritage

Policy SP13 Landscapes

Policy SP14 Biodiversity

Policy SP16 Design

Policy SP17 Managing Air Quality, Land and Water Resources

Policy SP18 Renewable and Low Carbon Energy

Policy SP19 Presumption in Favour of Sustainable Development

Policy SP20 Generic Development Management Issues

Material Considerations:

National Planning Policy Framework (NPPF) (2019)

National Planning Practice Guidance

5.0 CONSULTATIONS:

- 5.1 A brief summary of the position of statutory and non-statutory consultees is included on the front sheet of the report and issues raised are addressed in the relevant appraisal sections of the report. All consultation responses are available for Members to view on the public access webpage, and referred to in the report accordingly.

- 5.2 Norton Town Council - Recommend refusal on the grounds that the building is out of keeping with the other buildings around it.
- 5.3 Adjacent resident- planners make provision for noise pollution with restrictions on construction works to be carried out in normal working hours as previous development at this property has been done on weekends, bank holidays and evenings and over a long period of time.
- Please make provision for clear signage to the property Wold House Bungalow to stop construction workers/deliveries and others from entering my property looking for Wold House Bungalow as there is currently no sign.
- 5.4 The latter is a civil matter, although the Case Officer has mentioned these aspects to the agent who has advised that their client will look to provide signage and is not objecting to the use of conditions on hours of operation during construction.

6.0 APPRAISAL:

6.1 It is considered that the following aspects are important policy considerations around whether this proposal is compliant with the Development Plan.

- Policy principle of a replacement dwelling
- Design
- Landscape setting
- Ecology
- Amenity
- Access
- Sustainability

i)Policy principle of a replacement dwelling

- 6.2 The site is not within the Development Limits of Norton. It is within the Wider Open Countryside. Policy SP2 of the Ryedale Plan- Local Plan Strategy does permit the building of a replacement dwelling; this would also not be subject to the Local Needs Occupancy Condition. Policy SP2 does not specify that it has to be in the same location, nor be the same size nor design. The site, whilst having landscape sensitivity, is not subject a policy which would require the extent of the building's form to be restrained (such as the Green Belt). As such the proposal complies with the general principle of development of new housing in the Wider Open Countryside, in accordance with Policy SP2.
- 6.3 As the site description identifies, there is a lodge on the site. A condition requiring its removal once the dwelling is capable of being occupied is proposed to be applied, and this would also require that the LPA is informed in writing of the date this takes place, with proof of removal. The case Officer has written to the agent for a confirmation of the position regarding this lodge, and they have confirmed that the applicant is prepared to remove the lodge from site once the new dwelling is habitable.

6.4 Subject to there being no increase in the number of dwellings on the site, the application is considered to be broadly compliant with the Development Plan, subject to consideration of the following additional matters.

ii) Design

6.5 The resultant dwelling would be twice the size of the existing bungalow in terms of its ground footprint and modern in its design and use of materials.

6.6 As discussed earlier, Policy SP2 does not specify that the replacement dwelling shall be no larger than the existing dwelling. The height of a building can have implications within the wider landscape setting. But in relation to the height, this building is read within the context of a range of buildings which are on higher ground. It is also, due to the proposed excavation, no higher than the existing ridge of the bungalow it replaces.

6.7 Norton Town Council have recommended refusal of the application describing that “the building is out of keeping with the other buildings around it.” Officer’s noted on site that the immediate buildings around it are in agricultural vernacular and cover a range of build types and dates. Older, traditional style residential properties are present at the frontage of the site (facing onto Langton Road). This property will not be capable of being read within the context of those buildings due to the land falling away to the site, and the intervening buildings.

6.8 Design is a subjective matter, and can be interpreted in different ways. It is considered that the design is very modern in its appearance, and it is agreed that it is not reflective of the design details and materials of the surrounding dwelling styles which use brick and pitched roofs. But this departure is not to its detriment for the following reasons. The design responds to the context of the site, and this is considered to be of critical importance. The increased size is still capable of being read with larger buildings to the north on higher ground. The use of timber boarding is a rural, and a traditional material which will soften and weather; the use of a green roof in the form of a wave, will be very much taking contextual reference from the rolling green fields which surround the site. It is considered that the features which set it apart from the more traditional design references make for a dwelling which will be sympathetically incorporated into the landform and will be visually ‘absorbed’. It will be a design which blends well into the existing landscape setting.

6.9 Policy SP16 seeks development proposals to create high-quality durable places that are accessible, well integrated with their surroundings and which, amongst other matters: reinforce local distinctiveness. As part of reinforcing 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 orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings

- 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

The design of new development will also be expected to:

- Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space

- 6.10 It is considered that for the reasons identified above, the proposed building does reflect the context of where it is situated. In a modern interpretation, it will reinforce local distinctiveness. As such it accords with the requirements of Policy SP16. Conditions would be sought to achieve clarification on the glazing finish, external door finishes and the details of the balustrading proposed, as well as the landscaping.

iii) Landscape setting

- 6.11 This part of the Wolds Area of High Landscape belies the inherent undulating qualities of the prevailing rising landform in this area. Whilst there is a general uplift in the land, the land falls away to the north and west, but it then rises beyond the site to the west and south, with a series of undulations. These changes in topography are not easily read from public vantage points such as the road, but are from the PROW to the south. But the way the property is orientated, it will focus the living areas on these views, with the garage closest to the existing large outbuilding.
- 6.12 The proposed dwelling is no higher than the existing bungalow, and it reads within the context of a range of outbuildings. There is also (across to the west) an isolated bungalow. The new dwelling, with the green roof and timber boarding cladding will not be visible from Langton Road, and read within the context of the existing buildings from other vantage points. The Landscape and Visual Impact Assessment (LVIA) did identify that from the PROW to the south, views of the existing bungalow and buildings can be obtained. The new dwelling will be still read within the context of those existing buildings and its form and green roof will soften its visual appearance.
- 6.13 Policy SP13- Landscapes- states that the Council will carefully consider the impact of development proposals on the following broad areas of landscape which are valued locally such as the Wolds Area of High Landscape Value. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. This scheme would not detract from the topographical sensitivities identified. It is considered that the proposed scale, massing and siting of the dwelling represent a considered response to the topography, and that the scheme does not undermine the landscape but complements it.
- 6.14 Details of lighting are not provided, and exterior lighting in particular will need consideration given the rurality of the site. Also there is no detail of the landscaping. A

condition requiring the details of the landscaping will also be important, as this bungalow had a limited curtilage. The curtilage, is in effect being extended by this scheme as it was not clear on site the extent of original curtilage (if any) associated with the bungalow (which is likely to have been for stable staff accommodation). The landscaping will be important to ensure that the sense of domestication of the site is minimised. In this regard this would also involve the removal of ‘permitted development’ rights for certain classes:

- Alterations and extensions to the dwelling house;
- Development involving the roof;
- Outbuildings in the garden area;

6.15 Providing these elements are conditioned, to ensure the scheme is sensitive to its rural context, it is considered that the scheme as proposed complies with Policy SP13.

iv)Ecology

6.16 The building is of relatively modern construction and not considered to represent suitable habitat for bats or other protected species. Therefore no survey has been provided.

v)Amenity

6.17 The redevelopment of the site will not undermine residential amenity. No overlooking nor overbearing effects will be created. There are no properties sufficiently proximal to experience the ability to even look directly at the proposed new dwelling.

6.18 Timing around works will be included due to the proximity of residences. This is a temporary element, but in this quiet rural area, and the neighbouring residents have raised it as a concern.

vi) Access

6.19 The access from Langton Road is proposed to serve the replacement dwelling. NYCC Highways have not objected to this, but have suggested that the following conditions are imposed:

- Parking spaces on Plan 200-001 shall be retained and kept available for their intended purpose at all times;
- Precautions regarding mud on highway;
- Details of construction parking, storage and construction traffic

6.20 The neighbour has commented about the lack of signage to the property (which is already in existence. This is a civil matter, but the case officer has alerted the agent to it; and it is being addressed by the applicant.

vii) Sustainability

6.21 The use of the green roof will assist in managing surface water, although the site is not in an area of flood risk. The scheme proposes to use soakaways for rainfall which is not captured by the green roof. The scheme is also focused on an area of land that has had development on it, so is not using land in direct agricultural use (grazing or arable). It is considered that the proposal is compliant with Policy SP17 concerning the prudent use of natural resources.

6.22 The Design and Access Statement has a section on sustainability. This is in relation to the energy and water conservation and CO₂ reduction. The proposed means of energy supply is oil, which is understandable in this location, given lack of mains connections. The statement refers to the applicants 'high priority' concerning reducing energy demands and associated CO₂ emissions, and the design has taken account of this in the following areas:

- Specification of insulation and airtightness requirements beyond Building Regulations, including the proposal to submerge a substantial part of the building into the ground (which helps with thermo-regulation of the building). The use of the green roof also assists in this aspect.
- Orientation of main living spaces and glazing is south facing, maximising solar gain in the winter, and in the summer the overhanging eaves will give some shelter during the summer months when the sun is highest in the sky.
- Reduction of the carbon footprint by the incorporation of materials with a low environmental impact including renewable and recycled materials.

6.22 The Design and Access Statement also refers to a number of aspects of sustainable use/activity which have the overall aim of reducing energy and water consumption. These are elements which are, at present, primarily considered through the Building Regulations process. They also represent a response which is focused on internal solutions, as opposed to external elements (such as solar panels). But there are inherent elements of the build which would be compliant with the overall objective of the application of the Energy Hierarchy, which is referred to in Policy SP18:

“All new development will demonstrate that all levels of the Energy Hierarchy have been considered, taking into account the nature, scale and location of the development.”

This is because the Energy Hierarchy in the first instance seeks to reduce the energy demands of development. Officers consider that the design, siting and materials have the capability to reduce the energy demand on the site. As such it is considered that the scheme complies with the requirements of Policy SP18.

Conclusion

6.23 The principle of the replacement dwelling is in accordance with Policy SP2. Despite the concerns raised by the Town Council it is considered that the design references and scale of the building, whilst being modern, have paid due sensitivity to the site context. There are no areas of conflict with the Development Plan concerning aspects such as landscape sensitivity, amenity and the access. Also, the proposed building will use soakaways and sustainable elements of building design, which would bring compliance with Policy SP17 (Natural Resources) and reduce energy demands in accordance with Policy SP18 (Renewable and Low Carbon Energy) respectively. As such, it is considered that this scheme is recommended for approval, in accordance with Policy

SP19 - Presumption in favour of sustainable development. This is subject to a series of conditions regarding materials and landscaping, and the removal of the lodge.

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 approved shall be undertaken in strict accordance with the following referenced plans, unless otherwise agreed in writing by the Local Planning Authority:

Location Plan 0200-LOC Rev A dated 24/10/2019
Proposed site Plan 0200 -021 rev A dated 18/10/2019
Proposed elevations 1 of 2 0200-010 Rev A dated October 2019
Proposed elevations 2 of 2 0200-011 Rev A dated 10/16/2019 (16/10/2019)
Proposed site cross section Rev a 0200-030 18/10/2019
Proposed Upper level (entrance level plan) 0200-001 Rev A 31 October 2019
Proposed Upper level (lower level plan) 0200-000 Rev A 31 October 2019

Reason; for the avoidance of doubt, in the interested of good planning, and in accordance with compliance with the Ryedale Plan- Local Plan Strategy

3 Prior to their application, details including the specification and samples of the external materials and fenestration details and Balcony external materials shall be submitted to and approved in writing, and hereby used in the development hereby approved.

Reason: to ensure that the resulting external finish of the dwelling is sympathetic to its rural setting, in accordance with Policies SP13, SP16 and SP20 of the adopted Ryedale Plan- Local Plan Strategy

4 Prior to the occupation of the replacement dwelling hereby approved, the details of the scheme of external lighting shall be submitted to and approved in writing, and the lighting shall be implemented in accordance with the so-approved details.

Reason: to protect the rural character and ambience of this open countryside location, in accordance with Policies SP13 and SP20 of the adopted Ryedale Plan- Local Plan Strategy

5 Before any part of the development hereby approved is at first floor level, plans showing details of a landscaping and planting 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, in accordance with Policy SP13 of the adopted Ryedale Plan Local Plan Strategy

- 6 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 0200- 001; for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy; and to ensure these areas are kept available for their intended use in the interests of highway 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 adopted 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 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. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

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

- 9 During construction works, there shall be no:
Construction activities to be undertaken; and
(a) Light Goods Vehicles up to 3.5 tonnes; and
(b) Medium Goods Vehicles up to 7.5 tonnes; and
(c) Heavy Goods Vehicles exceeding 7.5 tonnes;
permitted to arrive, depart, be loaded or unloaded on Sundays or a Bank Holiday, nor
at any time, except between the hours of 7am and 6pm ; on Mondays to Fridays and
9am-6pm; on Saturdays.
Unless otherwise agreed in writing with the Local Planning Authority.

Reason: In accordance with Policy SP20 to ensure that there is no adverse amenity
through noise an general disturbance of adjacent residences; and to avoid conflict with
vulnerable road users, given that there are residential properties and other businesses
in the vicinity of the access point.

- 10 The lodge that is sited to the north of the existing dwelling (as on photos submitted
with the application) shall be removed from the site and the land made good once the
replacement dwelling hereby approved is capable of being occupied. Confirmation in
writing via photographic record of the removal of shall be provided to the Local
Planning Authority as a record of this event.

Reason: the lodge is being used as temporary accommodation, and planning
permission is required for the change of use of the land for residential development
and permission has not been granted for the lodge, and is unlikely to be granted in this
Open Countryside Location. This condition is to ensure that the lodge is not retained
as unauthorised development, in accordance with Policy SP2 of the adopted Ryedale
Plan Local Plan Strategy.

- 11 Notwithstanding the provision of the Town & Country Planning (General Permitted
Development) Order, 2015 (or any Order revoking, re-enacting or amending that
Order) no sheds, greenhouses, summerhouses or other ancillary domestic buildings or
structures shall be erected, placed or located within the site unless agreed in writing by
the Local Planning Authority following a specific application in that respect.

Reason: To ensure that the appearance of the area is not prejudiced by the introduction
of unacceptable materials and/or structure(s). This is in accordance with Policies SP13
and SP20 of the adopted Ryedale Plan- Local Plan Strategy

- 12 Notwithstanding the provisions of the Town & Country Planning (General Permitted
Development) Order, 2015 (or any Order revoking, re-enacting or amending that
Order), there shall be no material extension or external alteration to any building
forming part of the development hereby permitted (including the erection of a
detached garage and alterations to the roof) without the prior grant of planning
permission in that respect.

Reason:- To ensure that the appearance of the area is not prejudiced by the
introduction of unacceptable materials and/or structure(s). This is in accordance with
Policies SP13 and SP20 of the adopted Ryedale Plan- Local Plan Strategy