

Item Number: 9
Application No: 21/00575/FUL
Parish: Pickering Town Council
Appn. Type: Full Application
Applicant: Mr Richard Murray-Wells (Ness Hall)
Proposal: Change of use of former health clinic (Use Class D1) to form 8no. one bedroom apartments to include rebuilding and first floor extension of part with alterations to the existing parking and landscaping
Location: Pickering Clinic Train Lane Pickering YO18 8DX
Registration Date: 12 April 2021
8/13 Wk Expiry Date: 7 June 2021
Overall Expiry Date: 10 June 2021
Case Officer: Alan Goforth **Ext:** 43332

CONSULTATIONS:

Initial consultations

Sustainable Places Team (Environment-Agency)	No response received
Pickering Town Council	concerns that the number of flats will be too dense for the relatively small footprint of the building
Yorkshire Water Land Use Planning	No comments
Highways North Yorkshire	Further information required
Housing Services	Objects to the room sizes

Further consultations

Highways North Yorkshire	Recommend conditions
Housing Services	Satisfied with agent's response and window sizes a matter from building control
Building Control	Comments
Representations (1):	Claire McCann (objection)

SITE:

The 0.1 hectare site comprises a part single, part two storey flat roof, brick building with access off Train Lane which runs to the east of the site. The site is within the town development limits. The existing building has a footprint of approximately 360m² and was previously used as a health centre (Use Class D1) which ceased in September 2019 and the building is currently vacant. It is understood that the original building dates from the late 1950- early 1960s but has been subject to extensions and alterations.

The existing building comprises single storey parts to a height of 3 metres and two storey parts to a height of 5.9 metres. The windows are predominately UPVC with a white finish. There is a grassed area to the rear (west) of the building and the surfacing to the side and front comprises a mix of tarmac and concrete paving. The boundary of the site comprises a stone wall which is approximately 2 metres in height along the northern boundary reducing to approximately 1-1.5 metres in height along the western and southern boundaries. There is a 1.5 metre wide set of access steps and ramp which stand parallel to Train Lane which provide level access to the front entrance in the east elevation.

Access is gained off Train Lane which is a single lane road accessed via Potter Hill to the north. There is

no vehicular access direct to the A170 to the south.

There is a row of terraces (numbers 1- 6 Train Lane) and associated parking and turning area to the north of the application site and to the west the rear gardens of numbers 1-5 Southfield View extend parallel to the site boundary. To the south west are the rear gardens of numbers 1-3 Coronation Terrace, Southgate and immediately to the south of the application site is a detached, two storey property (Wayside). The terrace of properties fronting Southgate are further to the south. The Grade II listed building 'Gamay' is to the south east and the single storey Ropery House is to the east. Mill House flats are to the north east. Pickering Methodist Chapel is a Grade II listed building and stands to the north west of the site. The boundary of the Pickering Conservation Area runs along the northern boundary of the site. The majority of the site is within Flood Zone 2 with the north eastern corner and part of the frontage within Flood Zone 3.

HISTORY:

20/00751/OUT-Erection of an apartment block comprising 9no. apartments following demolition of existing health clinic - approval sought for access and layout only (site area 0.1 ha). WITHDRAWN.

20/00752/OUT- Erection of 4no. dwellings following demolition of existing health clinic - approval sought for access and layout only (site area 0.1ha). APPROVED 16.12.2020.

PROPOSAL:

Planning permission is sought for the change of use of former health clinic (Use Class D1) to form 8no. one bedroom apartments to include rebuilding and first floor extension of part with alterations to the existing parking and landscaping.

The rebuilding works and first floor extension relate to the existing single storey northern projection of the building which was previously used as a boiler room and garage. There would be no change to the existing footprint and the first floor extension would measure approximately 5.6 by 5.6 metres and would follow the flat roofline of the existing two storey part of the building to which it would connect. The reconstruction and extension works would utilise matching brickwork.

External works would comprise the removal of the railings, ramp and steps on the eastern side of the site and regrading of the surface to create 8no. parking spaces along the frontage. The site layout plan also shows that three further spaces would be created parallel to the northern boundary of the site. The existing cycle store at the southern end of the building will be retained for use by occupants of the apartments. The site layout shows that the rear garden would provide a communal outdoor amenity space and the plans also confirm the arrangements for bin storage.

The application supporting statement explains that the existing building is of robust construction and in a good state of repair and the retention and conversion of the building is proposed as a sustainable alternative to demolition, site clearance and the erection of a replacement building.

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 SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing
Local Plan Strategy - Policy SP11 Community Facilities and Services
Local Plan Strategy - Policy SP12 Heritage
Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

Material Considerations

National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (PPG)

REPRESENTATIONS:

The LPA has received one representation which is from the occupant of Wayside which is the detached property to the south of the site. The objections and concerns can be summarised as follows:-

- Noise and disturbance from comings and goings of occupants
- Cars would be parked close to living room window
- Overlooking/loss of privacy
- Insufficient parking provision

The response also raises concern about the impact on the value of the property, however, that is not a material planning consideration.

APPRAISAL:

Principle of development

The site is wholly within the development limits of Pickering. Policy SP1 (General Location of Development and Settlement Hierarchy) sets out a hierarchy of settlements and seeks to focus new development within the Principal Towns, Market Towns and Service Villages. Pickering is a Local Service Centre (Market Town) in the Settlement Hierarchy (Policy SP1) where there are a range of services and facilities and therefore the location is considered to be sustainable and well-integrated given its location within the built-up area of Pickering.

The redevelopment and effective use of previously developed land and buildings within development limits is supported by the NPPF (paragraph 119) and also Policies SP2 (Delivery and Distribution of New Housing) and SP17 (Managing Air Quality, Land and Water Resources) of the Local Plan Strategy. It is also relevant to note that the principle of the redevelopment of the site for residential purposes has been established by the recent grant of planning permission ref. 20/00752/OUT.

In principle the proposed development would not only accord with the aims of Policies SP1 and SP2 but would also provide a type and mix of new housing which would address some of the identified housing stock shortfall in the District for smaller properties for single person and couple households in compliance with Policy SP4. Policy SP4 also seeks to increase housing choice through the re-use of empty properties which is relevant in this instance.

It is considered that, in principle, the proposed development aligns with the strategic aims of the Development Plan and the NPPF in terms of the settlement hierarchy, type and mix of new housing and the redevelopment of previously developed land and buildings within the town development limits.

Loss of community facility

The proposed development involves the change of use of the existing building which was last used as a

health centre/clinic (Use Class D1) but has been vacant since September 2019.

Policy SP11 (Community Facilities and Services) seeks to protect existing local community services and facilities that contribute to the vitality of towns and villages and the well-being of local communities. The Policy states that the loss/redevelopment of such facilities require applications to demonstrate that:

- there is no longer a need for the facility or suitable and accessible alternatives exist, or
- that it is no longer economically viable to provide the facility, or
- Proposals involving replacement facilities provide an equivalent or greater benefit to the community and can be delivered with minimum disruption to provision.

It is understood that the building is surplus to requirements as the health services previously provided at the site are provided within an enlarged Pickering GP surgery which allows for connected visits for prescriptions, blood tests etc. and is just as accessible as the current site, given their proximal locations.

It is considered that the first and third tests stated above are met and the proposed development would not give rise to conflict with Policy SP11.

Design, form and appearance

In terms of the overall appearance of the building the main change would be the first floor extension to the northern projection of the building. The extension would sit within the existing footprint of the building and in terms of scale and massing would appear as a continuation of the two storey part of the building at the northern end of the site. The extension would be constructed in matching brickwork. The northern elevation would be blank and the window and door openings on the side elevations (east and west) are in keeping with the existing fenestration of the building. The extension would not be visible on the southern elevation. The extension would square off the building at the northern end and result in a regular form to the building compared to the existing which is varied and includes two tall chimney stacks (to be removed). The conversion would make use of existing window and door openings. The only external alterations are limited to single window to door changes in the north and east elevations.

The proposed modest first floor extension to the northern side is discretely located. It is considered acceptable in terms of its design, scale and materials and can be accommodated within the envelope of the existing building. The minor external alterations are also considered to be appropriate. The proposed development is a continuation of the architectural style of the host building and would retain the appearance of the existing building within the street scene in compliance with Policies SP16 and SP20.

The Conservation Area boundary runs immediately to the north of the application site. The existing building is of limited architectural merit and does not positively contribute to the setting of the Conservation Area. The proposed development would not alter the density, street pattern and form in this part of the settlement. The scale, form and appearance of the proposed extension is satisfactory and would have a neutral impact on the setting of the Conservation Area and as a result would not conflict with the aims of the NPPF or Policy SP12.

Residential Amenity

As required by Policy SP20 (Generic Development Management Issues), the development should respect the character of the area without having a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings.

The building works would not take development closer to the site boundary and the land to the north is a parking area and the first floor addition would not result in an overbearing impact or any loss of light to occupants of any neighbouring properties.

The proposed accommodation would be arranged over two floors but would utilise existing windows in the building. The windows in the east facing elevation would not overlook any residential properties. There are only two windows serving first floor habitable rooms in the west elevation and they would face west across the rear gardens of properties on Southfield View. Those properties have substantial linear gardens which run approximately 30-50 metres north of the rear elevation of those properties. It is not anticipated that the proposed dwellings would result in any unacceptable overlooking or loss of privacy for the users of those gardens. In terms of potential noise disturbance it is not anticipated that the use of the building and associated outdoor areas would result in a material adverse impact on the neighbour and general ambience of the area.

It is noted that concern has been raised by the occupant of Wayside in relation to potential overlooking and loss of privacy. There are no windows serving habitable rooms in the ground floor south elevation of the proposed apartment building. The 4no. first floor southern facing (existing) windows of apartment no.7 are 21 metres from the boundary with Wayside to the south. The windows previously served the first floor offices associated with the former use of the building. Due to the orientation of the existing building and the separation distance it is considered that there would be no unacceptable overlooking or inter-visibility between the apartments and Wayside.

In terms of the amenity of the proposed occupants Policy SP4 (Type and Mix of New Housing) seeks the provision of communal amenity space as part of flatted development where this is feasible and practicable. The site layout plan shows that there will be communal outdoor space available within the site. In addition there is adequate parking (cars and bicycles) and bin storage areas.

The Housing Officer had raised concern in relation to the size of some of the apartments and as a result the views of the North Yorkshire Building Control Partnership were sought. The Building Control Officer has explained that such matters are considered after the planning process because the design needs to be finalised and accepted before the functionality is assessed. The Building Control Officer has highlighted that at that stage it is likely some rooms will require escape windows. The Housing Officer is satisfied with the situation and accepts that the window sizes (escape windows) are a matter for Building Control. There are no planning concerns in relation to natural light or ventilation.

All of the apartments comply with national minimum space standard requirements in relation to 1 bedroom/1 person apartments. Planning control cannot limit the number of persons within each unit of accommodation. Furthermore national space standards do not form part of any adopted policy within the Local Plan Strategy. It is considered that the matters raised by the Housing Officer can be resolved as part of the Building Regulation application process.

In light of the above it is considered that the development would not give rise to any materially adverse impacts on residential amenity experienced by the proposed occupants of the apartments or occupants of neighbouring properties and complies with the requirements of Policy SP20

Highways impact

The 8no. 1 bedroom apartments would be served by a total of 11 parking spaces within the site with access gained directly off Train Lane. The site occupies a town centre location in close proximity to local services, transport infrastructure and public car parks.

The highways officer notes that Train Lane is subject to parking restrictions in the form of double yellow lines and is a no through road. The removal of the ramp adjacent to the site frontage creates the required carriageway width to facilitate safe access and egress. The plans show an adequate provision of secure cycle and vehicle parking and it is not deemed that the proposal would generate conditions considered detrimental to highway safety. The Local Highway Authority has no objection subject to conditions relating to the access construction; creation and retention of parking and turning areas; and a construction management plan.

It is considered that the development complies with Policy SP20 in relation to the highways impact.

Flood risk and drainage

In terms of flood risk the application site is located mostly in Flood Zone 2 (medium) risk of flooding and partially in Flood Zone 3 (high) risk of flooding. Pickering Beck is approximately 100 metres east of the site. Residential accommodation is considered 'More Vulnerable' according to Planning Practice Guidance (Flood Risk and Coastal Change). The proposal is for a change of use and therefore Sequential and Exception Tests do not need to be applied.

The existing building has floor levels of 31.85mAOD. There are no recorded incidents of flooding of the former Health Clinic despite some major historic flooding occurring in the immediate vicinity.

The application is accompanied by a Flood Risk Assessment which confirms that the proposal involves no increase in the overall footprint of the building or hardstanding within the site or any change to the finished floor levels.

The proposed development would not result in the loss of any flood storage space and would not increase flood risk elsewhere. The site is not at significant flood risk and the proposed use can be considered appropriate in this location.

Surface water and foul water will discharge to the public sewerage system (combined sewer in Train Lane) and no objections have been raised by Yorkshire Water.

It is considered that the proposed development would not increase flood risk at the site or elsewhere and complies with Policy SP17 and the NPPF.

Conclusion

The principle of the re-use of the site for residential purposes has been previously established by the grant of planning permission. The proposal the subject of this application is an alternative to the demolition of the existing building and seeks to convert and upgrade the building and add a modest first floor extension.

The redevelopment of previously developed land and buildings within the development limits for residential purposes is in line with Policies SP1, SP2 and SP17 and paragraph 119 of the NPPF. Furthermore the re-use of this empty property in order to provide 8 small units of residential accommodation in this sustainable town centre location meets an identified shortfall in compliance with the aims of Policy SP4.

The design; form and appearance of the converted and extended building would not depart from the existing and would not result in harm to the setting of the Conservation Area. The proposed change of use would not result in any material adverse impact on residential amenity; unacceptable highways conditions or increased flood risk at the site or elsewhere.

In conclusion, it is considered that the proposed development complies with Policies SP1, SP2, SP4, SP11, SP12, SP16, SP17, SP19 and SP20 of the adopted Ryedale Plan - Local Plan Strategy and the National Planning Policy Framework. In light of the above the recommendation to Members is one of conditional 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:

Block (Location) & Site Plan ref. 20/M20/P/07, dated 19.03.2021
Proposed Ground and First Floor Plans ref. 20/M20/P/03, dated 19.03.2021
Proposed Elevations (West & East) ref. 20/M20/P/06, dated 19.03.2021
Proposed Elevations (North & South) ref. 20/M20/P/08, dated 19.03.2021
Site Plan ref. 20/M20/P/02A, dated 24.08.2021
Proposed Regrading Details ref. 20/M20/P/09, dated 24.08.2021

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

- 3 Prior to the construction of the extension hereby approved 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 and to satisfy the requirements of Policy SP20 of the Ryedale Plan, the Local Plan Strategy

- 4 The access to the parking area at former Pickering Health Clinic, Train Lane, must be constructed in accordance with the approved details on Site Plan job ref: 20/M20/P/02A and construction specification/ cross section to standard detail number E50 Rev A with the following requirements.

- Any gates or barriers must be erected a minimum distance of 1.5 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site discharging onto the existing or proposed highway must be approved in writing prior to construction.
- The final surfacing of any private access within 1.5 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users in compliance with Policy SP20.

- 5 No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at former Pickering health Clinic, Train Lane, Pickering have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in compliance with Policy SP20.

- 6 No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
2. The parking of contractors' site operatives and visitor's vehicles;

3. Areas for storage of plant and materials used in constructing the development clear of the highway;
4. Measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
5. Protection of carriageway and footway users at all times during demolition and construction;
6. Protection of contractors working adjacent to the highway;
7. Details of site working hours;
8. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
9. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
10. Measures to control and monitor construction noise;
11. An undertaking that there must be no burning of materials on site at any time during construction;
12. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
13. Details of external lighting equipment;
14. Details of ditches to be piped during the construction phases;
15. A detailed method statement and programme for the building works; and
16. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity in compliance with Policy SP20.

- 7 The change of use hereby approved shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority.
 - (i) Details of all new windows/rooflights and doors
 - (ii) Details of the obscure glazing.

Reason: To ensure an acceptable external appearance and in the interests of amenity and to satisfy Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 8 Unless otherwise agreed in writing details of any mechanical extraction, ventilation or soil pipes including positioning and appearance shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: To ensure an appropriate appearance of the building and in the interests of amenity and to comply with the requirements of Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 9 Prior to the installation of any additional external lighting associated with the development hereby approved details of the location, height, angle of lighting, level of illuminance output and hours of operation shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall therefore be installed on site only in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity to ensure that the proposal satisfies Policy SP20 of the adopted Ryedale Plan - Local Plan Strategy.

INFORMATIVES

- 1 Condition 4- Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire

County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf .

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 2 Your attention is drawn to the need to obtain Building Regulations Approval for the works hereby approved.