

	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 17 January 2019	
APPLICATION REFERENCE NO: 18/02560/FL	TARGET DATE: 13 December 2018 Extended date: 24 January 2019	GRID REF: 494630-481665

REPORT OF THE PLANNING SERVICES MANAGER – PSM/19/16

SUBJECT: Demolition of existing bungalow and construction of replacement single storey dwelling at 24 Ings Lane Brompton By Sawdon Scarborough NORTH YORKSHIRE YO13 9DR for Mr & Mrs Stephen

1.0 THE PROPOSAL

1.1 This application seeks planning permission for the demolition of an existing bungalow and the construction of a replacement single-storey dwelling at 24 Ings Lane, Brompton By Sawdon.

1.2 The site is located to the south of the village - outside of the defined Development Limits - and forms part of the redundant Pickering to Scarborough railway line. It is a key site on the entrance to the village when approaching from the south and is located directly opposite former pieces of railway infrastructure, namely the old signal house (Derwent Cottage) and the now converted station building (Station House). The existing bungalow on the site is of a modest scale, with a footprint measuring 6.8 metres by 11 metres (74.8 sqm) and a maximum (ridge) height of 4.6 metres. A number of outbuildings, including a garage and green houses, to the rear of the site have been demolished over recent years. The bungalow was constructed in the 1970s and is of gable roof design with stone coloured brickwork and concrete double roman roof tiles.

1.3 The proposed replacement dwelling has been designed to reflect the layout of a railway track; comprising of three rectangular ('sleeper') blocks which run across the plot with a central corridor ('line') that runs the full length of the composition. Semi-internal courtyards would be created between the 'sleeper' blocks to provide natural light, views and privacy to the bedrooms that flank the central corridor. The rear elevation of the main dwelling would feature floor to ceiling length glazing, opening onto the rear garden. A fourth block would be positioned at the end of the garden, which would be used as a garden store and home office, while the integrated landscaping scheme would follow the same theme with a central path and edged rectangular lawns.

1.4 Including the courtyard spaces the proposed dwelling would measure 21.8 metres long by 12 metres wide (224 sqm 'net' internal floorspace) and would have a maximum height of 3.5 metres. Each of the 'sleeper' blocks would be constructed in extra-long

and narrow (520mm by 50mm) hand-made bricks in a buff/cream colour and would feature a flat 'green' (sedum) roof with a low parapet, while the central corridor would be clad in bronze anodised-aluminium. The same material would be used in the window frames, parapet wall copings and eastern elevation of the proposed outbuilding to ensure consistency throughout the scheme. The existing hedgerow to the northern boundary would be retained, while the eastern (front) boundary would incorporate hedging, brick walls and tree planting with a split hedgerow and wire fence treatment to the southern boundary.

2.0 SCREENING OPINION REQUIRED?

2.1 No.

3.0 PRE-APPLICATION COMMUNITY ENGAGEMENT

3.1 None undertaken.

4.0 CONSULTATIONS AND COMMENTS

4.1 The following provides a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.2 Brompton Parish Council - Objects. The Parish Council feels that the proposed development fails to comply with the requirements, in that it is not of suitable scale, form or architectural detailing for this site. The area is an historic site with 19th century assets. As such the sheer size and unusual detailing of the proposed property makes it stand out from other properties on the same side of Ings Lane rather than blend in with its' neighbours. The existing bungalow sits modestly within its curtilage. The proposed dwelling is out of character to the rural architecture within the vicinity with no other buildings or properties of the same design. This design bears no similarity to the architecture and historic surroundings and would look out of character due to the size and design of the proposed dwelling especially when situated so close to the Chapel of Rest.

4.3 Highway Authority - Recommends that conditions are attached to any permission granted in order to secure the construction of the re-located access prior to any other works (except for investigative works, or the depositing of material on the site) and the creation of the parking facilities in advance of the occupation of the dwelling.

4.4 Conservation Officer (SBC) - No objections are raised to the proposed dwelling. It is considered that the new dwelling would have a positive visual impact on this part of the historic built environment and would complement the adjacent existing non-designated heritage assets. The proposal therefore accords with Paragraph 135 of the National Planning Policy Framework and Local Plan Policy DEC5.

4.5 Environmental Services (SBC) - No objections to the application on environmental health or housing grounds.

4.6 Health and Safety Executive - HSE does not advise, on safety grounds, against the granting of planning permission in this case.

4.7 Publicity - Consultation period expires on 29th November 2018. No comments were received.

5.0 RELEVANT SITE HISTORY

2018 - Demolition of existing bungalow and construction of replacement two storey dwelling - Withdrawn due to concerns relating to the scale of the replacement dwelling (2.5 storeys) and the potential impact on the neighbouring Chapel (a non-designated heritage asset).

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

DEC 1 - Principles of Good Design
DEC 2 - Electric Vehicle Charging Points
DEC 4 - Protection of Amenity
DEC 5 - The Historic and Built Environment
HC 1 - Supporting Housing Development
HC 2 - New Housing Delivery

National Planning Policy Framework

NPPF5 - Delivering a sufficient supply of homes
NPPF12 - Achieving well-designed places

Scarborough Borough Supplementary Planning Documents

None relevant

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

7.1 Taking into account the relevant planning policy, representations, consultation responses and all other material planning considerations, the key issues in the determination of this application are considered to be:

- A) the principle of development
- B) the design of the proposed dwelling and the impact on the surrounding area
- C) the impact on non-designated heritage assets
- D) the impact on highway safety
- E) the impact on neighbouring residential amenity.

A) Principle of development

7.2 It should first be noted that the site is located outside of the defined Development Limits for the village of Brompton, i.e. it is in the countryside. Local Plan policy ENV6 has regard to development in the countryside and allows for the replacement of non-agricultural buildings that have a negative impact on the character of the area with one of a higher quality. In this case, while the existing bungalow is not of architectural merit, it is small in size and therefore sits relatively quietly within its context. Officers do not consider that it has a negative impact - the impact being best described as neutral - on the area and as such, the basic principle of the proposed development is not considered to be justifiable under this element of local policy.

7.3 However, the proposal may be acceptable within the broader context of the National Planning Policy Framework (NPPF) - a material consideration in the decision making process - which seeks to avoid "new isolated homes" in the countryside. Given that the proposal is for a replacement dwelling and therefore is clearly not a "new isolated home", Officers consider that the basic principle of development is otherwise acceptable providing that all other elements of the proposal accord with the Local Plan. This would include meeting the second part of policy ENV6, which states that "...the scale of the proposal should be compatible with its surroundings and not have an unacceptable impact on the character and appearance of the open countryside or the wider landscape". The impact in this regard is directly associated to the design of the replacement dwelling and is assessed against Local Plan policy DEC1 below.

B) Design of the proposed dwelling

7.4 Local policy DEC1 requires that all development proposals follow the principles of good design. As set out at paragraph 5.7 of the supporting text to the policy, the key test in respect of this scheme is whether the contemporary design of the replacement dwelling enhances local character and distinctiveness; the Local Planning Authority is clear that it will encourage such design solutions and that new development should not always seek to mimic existing built forms, rather it should be of its own time. Section 12 of the new NPPF (July 2018) also places significant weight on the need to create high quality buildings. Paragraph 127 states (inter alia) that planning decisions should ensure that developments: add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character and history while not preventing or discouraging appropriate innovation or change; and, establish or maintain

a strong sense of place using building types and materials to create attractive, welcoming and places.

7.5 In this case, the development site forms an important entrance to / exit from the village with open fields to the south, red-brick railway architecture to the east, the cemetery and sandstone-constructed Chapel of Rest to the north and 1970s domestic architecture and industrial buildings beyond. Therefore, while there are positive features / buildings within the surrounding area, Officers do not consider that there is a consistent or prevailing character which dictates that a particular architectural form be followed; it is certainly not considered that there is a requirement to reproduce or iterate upon the generic 1970s bungalow that presently exists on the site and also features to the north. Moreover, as the site is located outside of the Brompton Conservation Area, there is no requirement to follow the traditional Brompton vernacular style. It is therefore suggested that a replacement dwelling in this location should respond to the nature of the site, respect its surroundings in terms of its scale, form and materials, and reflect locally distinctive details wherever possible. The importance of these matters, particularly as they relate to the potential impact on neighbouring non-designated heritage assets, was emphasised during pre-application discussions with the applicant and was acknowledged as a failing of the previous (withdrawn) proposal.

7.6 The design response to the aforementioned matters within this application is a single-storey, parapet roof dwelling of contemporary design and materials that draws reference from the historical use of the site as a former railway line. However, rather than reflecting traditional railway architecture (as with the buildings opposite), the proposed dwelling features a 'sleeper' and 'line' layout that would be repeated across the site to echo the appearance of a railway track. Officers are satisfied that this unique layout makes efficient use of the site, provides generous amenity (garden) space and maintains a sufficient degree of separation to the site boundaries (approx. 1 metre to the north and 2.1 metres to the south). Furthermore, the semi-internal courtyard spaces that would be created as a result of the layout are also considered to be a positive design feature as they help to reduce the mass of the building and to introduce further sources of natural light into the dwelling.

7.7 In terms of its basic form, Officers are also supportive of the parapet roof design and single storey height; design choices that balance the need to provide a dwelling which meets the functional / space requirements of the applicant with the need to respect the setting of the adjacent non-designated Chapel (see below). Importantly, it should be noted that at 3.5 metres high, the proposed building would be lower than the ridge height of the existing bungalow (4.6 metres) and that this would help to maintain views of the Chapel when approaching the site from the south.

7.8 The dwelling would present a minimalistic frontage to the streetscene, displaying the distinctive, long and narrow (520mm x 50 mm), buff/cream coloured brickwork and featuring a recessed entranceway with a bronze, anodised aluminium door and matching cladding above. Officers acknowledge that the minimalist frontage is intrinsic to the design concept (the overall look and feel of the building) and consider that the use of high quality, hand-crafted materials across all elevations would help to deliver a successful example of contemporary architecture. Moreover, it should be noted that additional visual interest would be provided to the front of the dwelling through the proposed boundary treatments (hedge and tree planting with brick wall sections), while the end elevations of the 'sleeper' blocks would be softened by the existing hedgerows to the north and along the southern road approach.

7.9 Officers also consider that the sustainability credentials of the proposed dwelling weigh in favour of the design. Notably, the proposed design aims to achieve Code Level 5 of the Code for Sustainable Homes, which although now defunct, is still a useful measure of integrated sustainable design. The submitted Design and Access Statement states that the property would be highly thermally efficient and air tight, utilise a mechanical ventilation heat recovery system (MVHR) and provide an array of photovoltaic panels (to be concealed behind the roof parapet) to help power the dwelling and the electric vehicle charging points. These positive factors demonstrate compliance with part (b) of Local Plan policy DEC1, which states (inter alia) that design measures should be taken wherever possible to promote energy efficiency and to reduce the need for energy consumption. Positive weight should also be given to the ecological and surface water management benefits of the proposed sedum green roof.

7.10 Ultimately, Officers are satisfied that the proposed dwelling would enhance both the character and distinctiveness of the local area; it is considered that it would represent a significant improvement over the existing 1970s bungalow in terms of its architectural quality and visual appearance. It is considered that the contemporary design responds positively to the nature of the site and the local context, both through the innovative layout and the use of hand-crafted materials. Therefore, the proposal is considered to comply with both local and national planning policy, both of which seek to deliver high quality architecture and to create attractive and welcoming places.

C) Impact on non-designated heritage assets

7.11 The Council's Conservation Officer advises that the neighbouring Chapel, associated cemetery and nearby railway architecture should all be considered as non-designated heritage assets and that the impact of the proposed development upon their setting should be considered. It is also advised that a particular emphasis be placed upon the cemetery and the Chapel (designed by the country's leading church architect of the Edwardian period, Temple Lushington Moore), with these features being considered by the Conservation Officer to be worthy of listing; a listing request has been submitted and is currently being considered by Historic England. While the potential future listing of the Chapel is unlikely to alter the conclusion reached by Officers in respect of the impact on its setting (see below), it should be noted that a further statutory element of publicity and consultation may be necessary in the event that it becomes listed prior the issuing of any decision. Should this situation arise and as a result Historic England raise any significant material concerns, the application would be reported back to the Planning and Development Committee for consideration.

7.12 Local Plan policy DEC5 (part d) states that proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will only be permitted where the public benefits of the development would outweigh the harm. Officers are advised that the significance of the Chapel is in its architectural form, massing and detailing, which are highly characteristic of Moore's designs, many of which are listed. Historic England's Consultation Report notes specifically that "The form of the tower roof is very similar to that used by Moore in 1884-1887 for the II* listed St Aidan's Church, Carlton." In this case, Officers do not consider that the proposed development would affect the ability to appreciate the significance of the Chapel; the low-profile of the proposed building (set below the ridge line of the existing bungalow) and the retention of a sizeable gap between the house

and the outbuilding to the rear of the site would retain views of the Chapel when approaching from the south. More immediate views of the Chapel from the east and the north would be within the context of the proposed dwelling - which Officers consider to be a high-quality example of modern architecture - rather than within the context of the existing generic 1970s bungalow on the site. Fundamentally, given that Officers consider the proposed development would enhance local character and distinctiveness, it follows that the proposal would enhance (have a positive impact on) the setting of non-designated assets, including the neighbouring Chapel, cemetery and railway architecture. The proposal is considered to comply with Local Plan policy DEC5 accordingly.

D) Parking, access and impact on highway safety

7.13 Local Plan policy DEC1 part (c) states that proposals should provide suitable and safe vehicular access and suitable servicing and parking arrangements. The Highway Authority has confirmed that they do not object to the proposal in respect of these matters subject to conditions which secure the appropriate construction of the re-positioned access and the three off-street car parking spaces. However, given that there is an existing access to the site, Officers do not consider it to be reasonable to require the proposed re-positioned access prior to any works being undertaken; the existing access could theoretically be used for construction access. Subject to amended conditions, Officers consider that the proposal would meet the relevant requirements of Local Plan policy DEC1.

E) Impact on neighbouring residential amenity

7.14 By virtue of the separation and orientation of the respective properties, Officers do not consider that the proposed replacement dwelling would have any adverse impacts on the neighbouring house to the east (Derwent Cottage). The proposal is therefore considered to comply with Local Plan policy DEC4.

8.0 PRE-COMMENCEMENT CONDITIONS

8.1 There are no pre-commencement conditions recommended.

9.0 CONCLUSION

9.1 As previously stated, while the proposal is not considered to comply with Local Plan policy ENV6 - as the existing bungalow is considered to have a neutral rather than a negative impact on the character of the area - Officers suggest that the broader context of the NPPF, which seeks to prevent new isolated homes in the countryside, could provide sufficient justification for the construction of a replacement dwelling in this location. In this case, it has been demonstrated to Officer's satisfaction that the proposal would deliver a replacement dwelling of high quality design and sustainable construction that would enhance the character and distinctiveness of the area, without causing harm to the significance of neighbouring non-designated heritage assets and without being detrimental to highway safety or neighbouring amenity. Officers consider that these are material considerations that weight in favour of the proposal and that

planning permission (subject to conditions) should be granted in this instance. Previous comments regarding potential additional publicity and consultation requirements should the neighbouring Chapel be listed prior to the issuing of any decision should also be noted.

POSITIVE AND PROACTIVE STATEMENT

This application has emerged following the withdrawal of a previous scheme and as a result of subsequent pre-application advice. The application as submitted is considered to be acceptable and was therefore recommended for approval subject to conditions.

RECOMMENDATION

PERMISSION BE GRANTED, subject to the following condition(s)

- 1 The development hereby granted shall be carried out in strict accordance with the following submitted plans, reference numbers:

Proposed Plans and Elevations (drawing number: 1332_AR50_01_P1).
Received by the Local Planning Authority on 7th December 2018.

Proposed Site Plan (drawing number: 1332_AR50_02_P1). Received by the
Local Planning Authority on 7th December 2018.

Reason: For the avoidance of doubt.

- 2 The external materials of construction shall be as per Section 7 of the submitted application form, the approved plans and the submitted Design and Access Statement (received by the Local Planning Authority on 18th October 2018).

Reason: For the avoidance of doubt and in the interest of the character and appearance of the proposed dwelling and the surrounding area in accordance with policy DEC1 of the Scarborough Borough Local Plan 2017.

- 3 Prior to the occupation of the dwelling hereby approved an external grade single-phase 13 amp socket, suitable for the charging of an electric vehicle, shall be installed in accordance with the approved Site Plan (drawing number: 1332_AR50_02_P1) and thereafter so maintained.

Reason: In the interest of reducing carbon emissions from the development and in accordance with Policy DEC2 of the Scarborough Borough Local Plan 2017.

- 4 The access to the site shall be set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - a. The crossing of the highway verge shall be constructed in accordance with the approved details and/or Standard Detail number E6W.
 - b. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed and maintained thereafter to prevent such discharges

c. The final surfacing of any private access within 1 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

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

Reason: In accordance with policy DEC1 of the Scarborough Borough Local Plan 2017 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

INFORMATIVE

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.

- 5 Prior to the occupation of the dwelling the related parking facilities for a minimum of three off street parking spaces shall have been constructed in accordance with the approved drawing Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In accordance with policy DEC1 of the Scarborough Borough Local Plan 2017 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

David Walker

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MR MATTHEW LICKES ON 01723 232476 email matthew.lickes@scarborough.gov.uk



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