

New timber gates with brick flanking walls, piers and copings have been erected at the entrance to the driveway to Laurel House, which also serves as the access to the application site.

1.5 In April 2012 an application for the erection of a two storey dwelling on the application site was refused for the reason that the siting, design, scale and mass of the proposed dwelling, together with the cumulative change to the setting of the Grade II listed Stockton Grange and the loss of open character, would cause substantial harm to the significance of Stockton Grange.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation: Conservation Area: Stockton on Forest

2.2 Policies:

CYGP1	Design
CYGP10	Subdivision of gardens and infill devt
CYHE2	Development in historic locations
CYH4A	Housing Windfalls
CYGP15	Protection from flooding
CYL1C	Provision of New Open Space in Development

3.0 CONSULTATIONS

INTERNAL

Design, Conservation and Sustainable Development

3.1 The location, form and comparatively low height of the new house would be such that the prominence of Stockton Grange, with its open setting and views towards the main facade, would be maintained. The aesthetic of the new house would be complimentary to the special character of the listed building.

3.2 The new house would have a neutral effect on the character and appearance of the conservation area:- due to its location and massing it would not be seen from public locations and so it would not interrupt important views; also it would be disposed along the linear grain of the site which is characteristic of the wider conservation area; its character would respect the special aesthetic of the wider site.

Environmental Protection Unit

3.3 No objections

Highway Network Management

3.4 No objections.

Communities, Culture and the Public Realm

3.5 As there is no on site open space commuted sums should be paid to the Council for;

- a) amenity open space - which would be used to improve a local site within the Parish
- b) play space - which would be used to improve a local site within the Parish
- c) sports pitches - would be used to improve a facility within the East Zone of the Sport and Active Leisure Strategy.

Flood Risk Management Team

3.6 Comments awaited

EXTERNAL

Third Party Representations

3.7 Five letters of objection have been received raising the following concerns;

- (i) Harmful to the setting of the Grade II listed Stockton Grange and to the Conservation Area.
- (ii) Following the approval for the development of the Methodist Chapel site, the dwelling would overcrowd the site; its wild life and green oasis is disappearing.
- (iii) The proposed dwelling is larger in scale and in closer proximity to Stockton Grange than the previous refused application. The new development has increased in size by 25% and would cause even more impact on Stockton Grange being in so close proximity. The reasons for refusing the previous application should be reapplied.
- (iv) There will be further impact on the already over used shared access lane serving Lyngarth Cottage and Stockton Grange. Since the development of Laurel House, the road has remained in a poor state with no proper road surface. The increase in car and delivery traffic has not only caused more noise but has been detrimental to the condition of the lane. To add another dwelling, with substantial garaging, will only add to the noise and make the access even more useable causing possible highway issues. There have already been incidents with a number of near misses and one collision; adding a further property will only increase the potential for more serious accidents.
- (v) Loss of privacy to 5 The Elms from overlooking windows, notably, the window on the south east elevation. Frosted glass could be used.

- (vi) Increased noise levels, mainly due to traffic generated by the new development. Suggested that the gravel driveway be replaced with tarmac.
- (vii) Owner of the Methodist chapel site notes that the nearest gable end separation distances are below the 14 m recommendation and the proposed building is on the southerly aspect of the chapel plot leading to a loss of daylight and sunlight. The window would cause loss of privacy. Would be supportive of a single storey dwelling.

3.8 Two letters of support have been received commenting as follows;

- (i) The siting, size and design of the proposed house fits in well with the other properties nearby. It is noted that with the hedging and screening there is on the site, it is hard to see how any other property would be adversely affected
- (ii) For villages like this to survive and evolve, the village should be developed with well designed homes such as this, which will fit in with the conservation area and its character.

3.9 A further letter of support has been received from the owners of Laurel House, which explains that the applicants are their parents, who have lived at Laurel House for several months and wish to build a home to be near their family. The letter seeks to address statements contained within one of the objection letters relating to the access road, as follows;

- (i) The dwelling would not add to traffic issues as the applicants already live at Laurel House.
- (ii) The access off the main road was widened and visibility splay was achieved. There is no blind spot.
- (iii) The driveway and access to the 3 existing properties is in our ownership and we are not aware of any near misses or collisions. It is rare to pass another vehicle on the drive. There is an adequate passing place on the drive should this rare occurrence happen.

4.0 APPRAISAL

4.1 The key issues are considered to be:

- principle of residential development
- impact on the conservation area
- design, scale and mass /impact on setting of adjacent listed buildings
- neighbour amenity
- highway issues
- flood risk and drainage

POLICY CONTEXT

4.2 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development and a set of twelve core land-use planning principles to underpin plan-making and decision-taking. These principles include the advice that planning should secure a high quality design and a good standard of amenity for all and should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

4.3 The Development Control Local Plan was approved for Development Control purposes in April 2005; its policies are material considerations although it is considered that their weight is limited except where in accordance with the National Planning Policy Framework.

THE PROPOSAL AND ITS SETTING

4.4 The central core of the Stockton on the Forest Conservation Area is characterised by the linear form of the village street with its informal mix of traditional brick 18th and 19th Century farmhouses and cottages and by the narrow plots extending back from the street. Stockton Grange departs from this pattern in that it was built towards the back of an unusually extensive site and is approx 75m away from the village street. Further to a planning approval in 2007, the grounds of Stockton Grange were subdivided to generate a separate long plot behind the Methodist Chapel for the development of Laurel House, a two storey detached house. Permission is now sought to add a second, one and a half storey dwelling with three bedrooms and an integral double garage, between the Methodist Chapel and Laurel House.

4.5 The 2007 permission for the detached dwelling within the former curtilage of Stockton Grange, as referred to in paragraph 1.4, had sited the dwelling towards the centre of the plot, immediately adjacent to Stockton Grange. The revised scheme in 2010, resited the dwelling, now known as Laurel House, further to the rear of the site, such that it left a greater area of land towards the front of the plot free of development. This is the site to which this application relates.

4.6 The proposed dwelling would be located entirely to the east of the access driveway and hedge separating Laurel House from Stockton Grange and behind the Methodist Church. It would have a linear form to respond to the direction of the plot and, though the living room would break forward, a clear distance of over 20m would be maintained between the proposed dwelling and Laurel House. At 1 ½ storeys high (with bedrooms in the roof space) and 6.9m to the ridge, the new house would be lower in height than surrounding development and lower than both Stockton Grange and Laurel House.

PRINCIPLE OF RESIDENTIAL DEVELOPMENT

4.7 Paragraph 49 of the National Planning Policy Framework (NPPF) states that 'housing applications should be considered in the context of the presumption in favour of sustainable development.' However, Paragraph 53 requires local planning authorities to consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. Whilst written significantly before the NPPF the Development Control Local Plan Policy GP10 'Subdivision of Gardens and Infill Development' follows this theme by stating that planning permission will be granted for sub-division of existing garden areas or infilling where this would not be detrimental to the character and amenity of the local environment. Policy H4a 'Housing Windfalls' sets more detailed criteria for assessing applications for residential development on non-allocated sites (such as the application site) by stating that developments will be granted where;

- the site is in the urban area and is vacant or underused; and
- the site has good accessibility to jobs, shops and services by non-car modes; and
- it is of an appropriate scale and density to surrounding development; and
- it would not have a detrimental impact on existing landscape features.

4.8 The application site is within the settlement limit of Stockton on the Forest. It is therefore considered to be within a sustainable location and has good access to services and facilities by non-car modes. Given the need for new housing within York and the sustainability of the site and the NPPF's presumption in favour of sustainable development, it is considered that the broad principle of new residential development on this site is acceptable.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA

4.9 The National Planning Policy Framework advises that it is desirable that proposals sustain or enhance the significance of heritage assets and put them to viable uses, consistent with their conservation. Any loss or harm to conservation areas requires clear and convincing justification. Policy HE2 refers to development in historic locations and requires proposals to respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials. Local Plan policy HE3 states that within Conservation Areas, proposals will only be permitted where there is no adverse effect on the character or appearance of the area.

4.10 In terms of views from public vantage points and in particular from the public highway, The Village, the proposed dwelling would be sited to the rear of the Methodist Chapel and therefore would be significantly obscured from view. A public footpath, Beanland Lane, runs alongside the access to the application site offering views back to the village, however mature trees which line the public footpath, limit views of the application site. At one and a half storeys high, the proposed dwelling would be lower in height than surrounding development and lower than both Stockton Grange and Laurel House. The rising nature of the ground and the orientation of the facade towards the approach from the street also gives prominence to Stockton Grange and this view would not be interrupted by the proposed house.

4.11 Due to its location and massing, it is considered that the proposal would have a neutral effect on the character and appearance of the conservation area. It would not interrupt important views and would be disposed along the linear grain of the site which is characteristic of the wider conservation area

DESIGN, SCALE AND MASSING AND IMPACT ON THE SETTING OF STOCKTON GRANGE

4.12 As detailed in paragraph 1.5 of the report, in 2012 an application for the erection of a two storey dwelling on this site was refused for the reason that the siting, design, scale and mass of the proposed dwelling would cause substantial harm to the significance of Stockton Grange. Officers consider that this scheme addresses this reason for refusal.

4.13 As detailed previously, the dwelling would have a linear form to respond to the direction of the plot and its massing has been reduced to a one and half storey dwelling with a ridge height of 6.9 metres, such that it would now be lower in height than surrounding development. The proposed house has also been designed to respond to the Arts and Crafts character of Stockton Grange by exaggerating the gabled roofline, copying the bracketed eaves and the chimney form, and using hipped dormers with swept valleys. The ridge line has also been broken by lowering the garage block. A request has been made to remove the dormer from the garage and Members will be updated at the Meeting as to whether the plans have been revised accordingly.

4.14 It is therefore considered that the location, form and comparatively low height of the new house would be such that the prominence of Stockton Grange, with its open setting and views towards the main facade, would be maintained. Furthermore Officers are of the view that the aesthetic of the new house would be complimentary to the special character of the listed building.

NEIGHBOUR AMENITY

4.15 The National Planning Policy Framework requires that proposals secure a good standard of amenity for existing or future occupants of land or buildings. Local Plan Policy GP1 seeks to ensure that residents living nearby development proposals are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.16 The proposed dwelling would be orientated to look over the access drive to the south west of the site with a second principal elevation facing Laurel House, between which there is a 28 metre separation distance. On the rear elevation (the boundary with Elm Tree Farmhouse and a small section with 5 The Elms), there would be a stairs window at one and half storey level and a number of rooflights. Given the mature vegetation which exists on this boundary, it is not considered that the proposed dwelling would give rise to a significant loss of amenity to residents of these properties in terms of overlooking, a sense of overbearing or loss of light.

4.17 The Methodist Chapel, for which there is an unimplemented permission for a new dwelling, would be the closest property to the proposed dwelling. However, the orientation and design of the property is such that it would be the lowest part of the development (the 6.1 metre high gable end of the double garage) which would be closest to the site of the Methodist Chapel. The gable end of the garage is 6 metres from the site boundary and although there is a small window in this elevation, it would serve the stairs which access the loft space above the garage and therefore it is considered unreasonable to require that this window be deleted or obscure glazed. Furthermore, given the height of the proposed dwelling and the distances involved, it is not considered that significant weight can be attached to the concerns of the owner of this building relating to the overshadowing of the garden.

HIGHWAY ISSUES

4.18 The visibility splay at the junction with the public highway has been improved as required by a condition on the 2007 permission for Laurel House. Given that the visibility splay has been improved, Officers do not consider that the vehicular movements associated with one additional dwelling would be detrimental to the safety of highway users.

FLOOD RISK AND DRAINAGE

4.19 Policy GP15a: Development and Flood Risk requires that sustainable drainage is encouraged. Otherwise discharge from new development should not exceed the capacity of receptors and water run-off should, in relation to existing run-off rates, be reduced.

4.20 The proposed method of surface water drainage is via soakaways and drainage calculations have been provided to demonstrate that the ground has sufficient capacity to accept surface water discharge to prevent flooding of the

surrounding land and the site itself. Comments from the Council's Drainage Engineer with respects to these calculations are awaited and Members will be updated at the Meeting.

4.21 The development is in low risk Flood Zone 1 and should not suffer from river flooding

SPORTS, PLAY AND OPEN SPACE FACILITIES

4.22 In accordance with policy L1c of the Draft Local Plan, the applicant would be required to make a contribution towards children's equipped play space, informal amenity open space and outdoor sports facilities. Based upon the City of York Commuted Sum Payments document, the contribution for this development would be £2,004.

4.23 The applicant has agreed to provide this contribution.

5.0 CONCLUSION

5.1 It is considered that the principle of development is acceptable as the proposed dwelling is located in a sustainable location and would contribute to meeting the housing needs of the City. The location of the proposed dwelling and its massing is such that Officers consider that the proposal would have a neutral effect on the character and appearance of the conservation area and the revised scale, massing and design of the dwelling is considered to overcome the previous reason for refusal in terms of the impact on the setting of the listed Stockton Grange. Furthermore, it is not considered that the proposed dwelling would give rise to a significant loss of amenity to residents of neighbouring properties in terms of overlooking, a sense of overbearing or loss of light.

5.2 Therefore the application for a new dwelling at Laurel House, Stockton on the Forest, is considered to accord with the National Planning Framework and Policies GP1, GP10, HE2, H4A, GP15A, HE3 and L1C of the Local Plan. Approval is recommended subject to the following conditions.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve subject to Section 106 Agreement

1 TIME2 Development start within three years -

2 The development hereby permitted shall be carried out in accordance with the following plans and other submitted details:-

Application Reference Number: 14/00434/FUL

Item No: 3d

Page 9 of 12

Drawings received 25 February 2014;

1310.5 (Site Plan), 1310.6 (Ground Floor), 1310.7 (First Floor _ Sections), 1310.8 (Elevations), 1310.9 (Block Plan), 1310.10 (Elevation to Driveway).

C-50 (Drainage Proposals)

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

3 Notwithstanding any proposed materials specified on the approved drawings or in the application form submitted with the application, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The external materials should match as closely as possible those of Stockton Grange. The development shall be carried out using the approved materials.

Note: Because of limited storage space at our offices it would be appreciated if sample materials could be made available for inspection at the site. Please make it clear in your approval of details application when the materials will be available for inspection and where they are located.

Reason: So as to achieve a visually cohesive appearance.

4 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

(i) typical windows, dormer windows and external doors. Details should show these components within the context of their reveals or surrounding frameworks.

(ii) verge and open eaves details. "Barge" boards should finish straight ie omit the boxing. The tile/brick corbelling or kneeler detail should be revealed in the gable ends.

Reason: So that the Local Planning Authority may be satisfied with these details.

5 Notwithstanding the submitted plans, full details of the boundary treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details. The boundary treatment shall consist of fencing and planting and not walling as detailed on the submitted plans.

Reason: So that the Local Planning Authority may be satisfied with these details.

6 A soft porous material shall be used for the new access and courtyard.

Reason: In the interests of visual amenity.

7 The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of highway safety.

8 PD1A - IN Rem of specific Perm Dev rights Classes A, B, C and E

7.0 INFORMATIVES: Notes to Applicant

1. STATEMENT OF THE COUNCIL'S POSITIVE AND PROACTIVE APPROACH

In considering the application, the Local Planning Authority has implemented the requirements set out within the National Planning Policy Framework (paragraphs 186 and 187) in seeking solutions to problems identified during the processing of the application. The Local Planning Authority took the following steps in order to achieve a positive outcome:

- pre-application discussions
- the use of conditions

2. INFORMATIVE:

The developer's attention is drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be adhered to, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday 08.00 to 18.00
Saturday 09.00 to 13.00
Not at all on Sundays and Bank Holidays.

(b) The work shall be carried out in such a manner so as to comply with the general

Application Reference Number: 14/00434/FUL

Item No: 3d

Page 11 of 12

recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers' instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

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