

ADDITIONAL STATEMENT

PROPOSED NEW SINGLE STOREY DWELLINGS ON LAND TO THE SOUTH OF BROOKFIELD, MALTONGATE THORNTON DALE YO18 7SD

SITE HISTORY

The following information has been provided by a joint Applicant, Mrs Forster, a member of the Yeoman family who over a period exceeding 150 years have owned the site and much of the surrounding property. Mrs Forster's personal knowledge arises from Brookfield being her family home from birth until she married. Her mother lived there until 2003 and Mr Robin Yeoman until 2012. A further family member resided next door at Dale Cottage until 2018. She was a regular visitor and is now an owner of both properties.

Mrs Forster is aware that from the 1930's her Great Grandparents and then her Grandmother and Great Aunt ran a market garden from Brookfield which utilised all of the land to the rear which at that time included the land upon which Tanglewood, Alverton and Thornton House are now built together with the land that is now 1 Brookfield Gardens and the detached triple garage.

Prior to its use as a market garden it was a pig farm. Former pigsties which were subsequently used as a workshop and storage for machinery, equipment and tools now form part of the double garage and single garage constructed in 2015.

She recalls that in the 1960's the land upon which Tanglewood, Alverton and Thornton House are built was part of Brookfield and formed part of an orchard along with the land that is now 1 Brookfield Gardens and the detached triple garage.

In 1974 the Yeoman family sold 3 building plots facing onto Roxby Road and the 3 detached houses were constructed.

In 2005 Mrs Forster acquired ownership of the remaining part of the orchard together with a derelict barn and in 2007 developed Brookfield Gardens as a single detached house, a detached triple garage and a barn conversion into 2 cottages.

The remaining land, including the subject site, continued to be used as cultivated garden, and also partly as a builder's yard which was an adjunct to Mr Robin Yeoman's (a local builder) occupation of Brookfield.

At no time has the subject land ever been an orchard. The presence of a fruit tree is typical of a country garden as demonstrated by the fact that the now small private garden associated with Brookfield boasts 2 apple trees (Nos.1 and 2 in the Tree Survey of 3rd February 2016) with a further apple tree (No.3) close by.

In 2015 part of the land and outbuildings previously used as a greenhouse, together with workshop and storage for machinery, equipment and tools were converted into a double garage for Brookfield, and a single garage for Dale Cottage together with a gravel access and turning area.

In 2016 an application was made to construct 2 detached houses on the subject land. This was refused by NYMNPA and dismissed on appeal.

ALTERATIONS TO THE PROPOSAL

At the request of the Planning Officer we have looked very carefully at the ridge height of the proposed building and the parking arrangements.

Please refer to the following drawings which address the above 2 points:

1. By excavating and reducing the ground level thereby reducing the ridge height of the building by 0.700 metres to 37.700.
2. By moving vehicle parking away from the boundary fence with Alverton and locating it adjacent to the existing garages/stores.

Drawing 01A - Single Storey Dwellings - Land at Brookfield - Existing Site

Drawing 02B - Single Storey Dwellings - Land at Brookfield - Proposed Site Plan

Drawing 04A - Single Storey Dwellings - Land at Brookfield - Elevations (E & W)

Drawing 05A - Single Storey Dwellings - Land at Brookfield - Elevations (N & S)

Drawing 06A - Single Storey Dwellings - Land at Brookfield - Proposed Sections

Drawing 07 - Single Storey Dwellings - Land at Brookfield -- Proposed Street Elevation

Drawing 08 - Single Storey Dwellings - Land at Brookfield – Sections X-X, Y-Y and Z-Z

A revised Computer Generated Image (CGI) is attached at Appendix 6.

This together with the photograph, Appendix 3 in the Design Statement dated 12th September 2019 and the sections in Drawing 08, clearly show how little the revised proposal itself will impact on Maltongate.

Specifically, the revised GCI together with Drawing No. 04A and Sections X-X and Y-Y on Drawing No. 8 clearly illustrate that the reduction in height of 0.700 metres significantly lessens the potential impact of the east elevation of Dwelling 2 on Maltongate. Please also note that this elevation is so well screened by existing trees and shrubs along with the stone boundary wall between the garden of Brookfield and the subject site so that only a small part of the roof will be visible from the street.

Further, we believe that the amenity of Maltongate will be improved by the proposed building interrupting the view through to the 3 Roxby Road properties (Tanglewood, Alverton and Thornton House) which currently dominate.

We have also sought to address all points raised as objections that are not covered in the Design Statement. These will be examined on an individual basis.

The low-key agricultural design of the building takes its cues from the architectural vernacular of the surrounding historic buildings:

- a) The height of the walls are kept to a minimum height, allowing only for a standard door together with the necessary structure to support the roof. The impact of the latter is minimised by moving it off the outer face of the wall structure. In this way it will look similar to the former pigsties which are shown in Appendix 7 – Photograph 1.

- b) The roof pitch follows that of the barn conversion at 2 and 3 Brookfield Gardens. Appendix 7 – Photograph 2.
- c) The design of the windows and doors together with the style of the rainwater goods and landscaping all reflect the history of the site.
- d) This is a single storey building. It is not possible to incorporate a habitable first floor because:
 - i. The internal height from the finished floor level (FFL) to the underside of the horizontal ceiling is 3.82 metres.
 - ii. The internal height of the walls from FFL to the sloping ceiling is 2.50 metres.
 - iii. Whilst this would allow a first floor to be constructed at this level, the maximum ceiling height of the “first floor” after allowing 150mm for the joists and 25mm for floor finishes would be 1.25 metres or 4 ft 1 in.

Ms S Brown’s email of 2nd October 2019

“I feel that we must take issue with the plans submitted by Mr Forster showing the garages as outbuildings.”

This matter has been addressed in Drawings No. 01A, 02B and 07.

Mr and Mrs J Wardle’s email of 4th October 2019 and Ms S Brown’s Letter of 4th October 2019

Mr and Mrs Wardle

“The bungalows planned will be 6m nearer to our property than the original plans for 2 houses and the height at the lowest point of the site is just less than the original plans.”

Ms Brown

“The Design Statement purports to suggest that the distances between the proposed dwellings and existing properties are further away than the previous application when, in fact, the new dwellings are almost 6m closer to Tanglewood (21.6m reduced to 15.7m)”

Please refer to Drawing No. 02B and more particularly to Appendix 5 of the Design Statement dated 12 September 2019 which clearly shows the situation.

- a) The ridge height of Dwelling 1 per Application No. NYM/2015/0919/FL was to be 39.58. This building was to be located 2,174.66 cm (21.75 metres) from the rear of Tanglewood.
- b) The ridge height of the garage/carport to the rear was to have been 36.67. (The ground upon which it stands would have been lowered by 0.35 metres.) This building was to be located 1,327.52 cm (13.28 metres) from the rear of Tanglewood.

- c) The proposed new building is to be located 15.95 metres or thereabouts from the rear of Tanglewood. This distance exceeds the industry standards for space about dwellings.
- d) The ridge height is to be 37.70, being 1.88 metres below Dwelling 1 per Application No. NYM/2015/0919/FL and 1.03 metres above the garage/carport.
- e) The position re Tanglewood is therefore much improved from that in Application No. NYM/2015/0919/FL.

Ms S Brown's Letter of 4th October 2019 and Ms D Croot's Letter of 4th October 2019.

"The parking for this proposal is directly behind our fence....."

This concern has been addressed. Revised parking arrangements are shown on Drawing No. 02B.

ACCESS

Ms R Teasdale's & Miss C Teasdale's Letters of 5th March 2016

The following is an extract from both Ms Teasdale's and Miss Teasdale's letters of objection to Application No NYM/2015/0919/FL which support access to the site from Roxby Road.

"Access to the site from Roxby Road has been in use for many years and has recently been used by construction traffic for the alteration of garages on the site. This has not had the detrimental effect anticipated by residents and, in addition, has not presented an additional traffic hazard. Traffic travels along Maltongate far faster than on Roxby Road and most pedestrians use the continuous pavement on the other side of the road."

Mr and Mrs J Wardle's Letter of 6th March 2016

The following is an extract from Mr & Mrs Wardle's letter of objection to Application No NYM/2015/0919/FL which supports access to the site from Roxby Road.

"There is an existing vehicular access off Roxby Road which has been there for many years, it was originally used by the previous owner of the land and property on Maltongate, for his machinery regarding his building business. Originally, there was concern regarding access from Roxby Road to the site, but since then, whilst building the garages, there has been constant movement of builders trucks and large delivery lorries, the noise and impact has not been as disruptive as we all anticipated. Roxby Road is much quieter than Maltongate as the access into the site."

Ms S Brown's Letter of 7th March 2016

The following is an extract from Ms Brown's letter of objection to Application No NYM/2015/0919/FL which supports access to the site from Roxby Road.

"Access to the site from Roxby Road has been in use for many years and has recently been used by construction traffic for the alteration of garages on the site. This has not had the detrimental effect anticipated by residents and has not presented an additional traffic hazard. Traffic travels along Maltongate far faster than on Roxby Road and most pedestrians use the continuous pavement on the other side of the road."

The applicant agrees with these assessments which, taking into account that construction traffic is larger and noisier and more intense than domestic traffic clearly negate the arguments subsequently put forward to support their objection to the use of the Roxby Road access.

Mr & Mrs R Sharples' Letters of 1st October 2019 and 8th September 2016 and Mr & Mrs I Neale's email of 12th September 2016

Mr Sharples letter of 1st October 2019 regarding the subject Planning Application is reproduced in whole below:

"'Secondary access' ? – residents in Brookfield Cottage permanently use Brookfield Gardens for vehicular access (frequently 2 vehicles). Dale Cottage is currently unoccupied. In the last 5 years, 3 garages have been constructed using original outbuildings belonging to Brookfield Cottage.

We believe in the past, Dale Cottage never had rear access via Brookfield Gardens

*Do these facts reflect this being used as a 'secondary access'? .
If so where is the primary access? – Maltongate?*

The following is an extract from his letter of objection dated 8th September 2016. to Application No NYM/2015/0919/FL where he raises the same issue.

"The point , made in other correspondence relating to the development, namely the fact that the changing of the designation of the garages for Dale and Brookfield cottages to stores will put pressure on the parking on Maltongate is not a true reflection of the situation. No parking for Dale and Brookfield cottages has been used off Brookfield Gardens for years. In fact access to the area behind Brookfield Cottage where the garages have been recently developed(but not yet in operation) was totally inaccessible for vehicles owing to a locked galvanised gate and piles of building rubble. Therefore, taking this into account means that parking for both Dale and Brookfield cottages has been on Maltongate for years."

Mr & Mrs Neale have objected to the current application, however in their email response of 12th September 2016 to Mr Sharples they provide independent corroboration of the facts relating to this matter.

“The Sharples bought their property in August 2013.

At this time Brookfield was already unoccupied and the garden building site.

The occupant of Dale Cottage has no vehicle.

The Sharples assertion on parking and access is incorrect.

The historical access and parking was the reason for building the garages.

Parking has never been on Maltongate”

Mr R Gray’s email of 14th September 2016

Mr Gray has not objected to the current application. Despite objecting to Application No. NYM/2015/0919/FL, he consistently corrected the factual errors of other objectors. In his email of 14th September 2016, he corrects Mr Sharples in some detail. Mr Gray has the knowledge to make these observations as he is a very long-standing member of the immediate community to the extent that as a child on the way to school, he used to pass the Brookfield entrance on to Roxby Road. This is only included as independent corroboration of the facts relating solely to this matter.

“I refer to the letter dated 8th September 2016 from Mr & Mrs Sharples and offer the following comments,

The previous occupant of Brookfield died in October 2012. From shortly after this until building work started on the house following permission granted by NYM in late 2013, the rear of the site and the pedestrian access from Maltongate were indeed locked and chained. However this was for security purposes only.

The previous occupant was a self-employed builder and in the course of his business used a van, a tractor plus trailer and a dumper truck. All these vehicles had for many years until his sudden death used the access from Roxby Road and were housed in the sheds at the rear of the garden. They were never, except occasionally & temporarily during the day, parked on Maltongate.

Dale Cottage, which was originally 2 separate houses but the present owner occupies them as 1, belongs to a member of the same family. Neither he nor any previous occupant of either of the cottages has in my memory of over 50 years ever possessed a car so had no parking requirement in Maltongate or anywhere else.

The most recent occupant of Brookfield shared the house, their family home, with his cousin until her death in 2003. The cousin owned a car and used the access to the property from Roxby Road to park her car. Again there would only be occasional & temporary parking during the day on Maltongate.”

Mrs Forster agrees with the assessment of both Mr & Mrs Neale and Mr Gray.

Thornton-Le-Dale Parish Council

The following are extracts from the minutes of 2 Parish Council Meetings held on 1st March 2016 and 2nd August 2016.

Minute of 1st March 2016

Applicant: Mrs G Forster NYM/2015/0919/FL
Address: Brookfield Cottage, Maltongate.
Application: Construction of 2 dwellings with associated access, parking, garages
And amenity Space.

5 The infill area is too small to accommodate two dwellings and should be restricted to one in number with the access being in Roxby Road.

At this time the suggestion was that access for 2 much larger detaches dwellings with garages be taken from Maltongate. The Parish Council whilst not supporting the proposal to build such properties show a clear preference for an access from Roxby Road. This was repeated in the minute below when only the Roxby Road access was under consideration.

This position was reiterated in their email to NYMNPA dated 3rd August 2016 and had therefore been thoughtfully considered on at least 2 occasions. It is however at odds with their current stance relating to the subject application despite there being no changes to the access since that time.

Minute of 2nd August 2016

Applicant: Mrs G Forster NYM/2015/0919/FL
Address: Brookfield Cottage, Maltongate.
Application: Construction of 2 dwellings with associated access, parking, garages
And amenity Space.

5 The infill area is too small to accommodate two dwellings and should be restricted to one in number with the access being in Roxby Road.

DESIGN

Mr and Mrs J Wardle's Letter of 6th March 2016

The following is an extract from Mr & Mrs Wardle's letter of objection to Application No NYM/2015/0919/FL and supports the smaller scheme of 2 semi-detached bungalows. The emphasis is mine.

*"It is noted that previously there was an application for 3 cottages, which was not supported by NYMP due to negative impact on the conservation area and listed building, and **a smaller scheme should be considered**. These "barn like" dwellings are now proposed, surely this is a larger scale development than "cottages", **or even 2 bungalows or semi-detached houses at a lower level**..... "*

Mr P Smith's email of 21st July 2016

Mr Smith makes some important points in his email of 21st July 2016 relating to Application No. NYM/2015/0919/FL. The current proposal largely accords with Mr Smith's observations.

"The building site lends itself to a luxury development of a bungalow, at the northern end of the plot. This would mean that any new building will not be visible from Maltongate. Additionally, a single storey building would not overlook adjoining property, backing onto the site, from Roxby Road. A single four bedroom bungalow or possibly two, two bedroom semi-detached bungalows would be the most appropriate use of this site, in our opinion."

Ms D Croot's letter of 26th July 2016

In this letter of objection to Application No. NYM/2015/0919/FL, Ms Croot expresses a view that we have taken into account and produced a scheme that accords with her opinion expressed below. It would appear that the proposal accords with the views of all objectors at that time which would also include Mr & Mrs Wardle, Ms Brown, Ms Teasdale, Miss Teasdale, Mr & Mrs Sharples and Mr & Mrs Neale, all of whom have objected to the current proposal.

"Could I suggest, as has been mooted in all quarters, that the site is not of sufficient area to support the building of two dwellings of this size. One larger single storey/ barn/courtyard development would be more in keeping with the existing conversions, would serve to reduce the pressure of access and parking and would be of less impact in this village location within a Conservation Area. In addition, the scheme could be designed to take the road away from all three properties whilst retaining parking."

Mr and Mrs J Wardle's Letter of 6th October 2016

The following is an extract from Mr & Mrs Wardle's email of objection to Application No NYM/2015/0919/FL which reaffirms their support for a single storey dwelling on the site.

“This site is not big enough for these dwellings. We would not object to a single storey dwelling being built on the site, with enough space around it for a reasonable garden.”

Mr & Mrs R Sharples’ Letter of 12th October 2019

The following is an extract from Mr & Mrs Sharples letter of objection to Application No NYM/2015/0919/FL in which they clearly support the construction of a detached single storey property.

“The construction of one detached single storey property + the reinstatement of one of the Brookfield/ Dale cottage stores as a garage would be more commensurate with the immediate environment(Conservation area) and with the size of the proposed development site.”

Planning Committee Meeting of 20th October 2016

Mrs Forster took notes of the Planning Committee meeting of 20th October 2016 when Application No. NYM/2015/0919/FL was discussed.

The following are comments made by 2 of the Planning Committee Members and are not quotations. This does not however negate the validity of the points raised.

Councillor Fisher spoke of her concern regarding additional parking on Maltongate which she believed to be already dangerous and over-crowded and suggested that double yellow lines should be placed down both sides of Maltongate. She also questioned why a building had already been converted into two garages that would then be used as stores resulting in parking for Brookfield and Dale Cottage then being on an overcrowded Maltongate.

Councillor Patmore proposed that the Planning Committee, refuse the application. However, she also stated that the site was a good development site but that the two detached dwellings was an over development. She also believed that the two proposed dwellings were too high.

Ms S Brown’s Presentation to the Planning Committee on 20th October 2016

The following is a note of comments made by Ms S Brown in her presentation to the Committee:

Ms Brown stated that she and the objectors (which includes all objectors to the current proposal) had no objection to the site to the rear of Brookfield being developed but they believed that two houses and garages was an over development of the site. They also had concerns over the height of the dwellings, making reference to only a minimal height reduction being made by the applicant.

Councillor S Bell's Presentation to the Planning Committee on 20th October 2016

The following is a note of comments made by Councillor S Bell of Thornton-Le Dale Parish Council in her presentation to the Committee:

Ms Bell reiterated the Parish Council's objections to the proposal but also confirmed that a possible solution would be a single storey building on the site.

We believe that all of these matters have been addressed in the current application as amended.

NYMNP CONSULTATION WITH CONSERVATION OFFICER

In his email to the Planning Officer of 16th October 2019, the Conservation Officer observes that:

"Glimpses of the rear roofs of 1960s-era houses on Roxby Lane are visible from Maltongate showing a degree of discordant development"

Please refer to Drawing No. 8 – Proposed Site Sections.

All 3 of the sections clearly show that:

- a) The sightlines from Maltongate to the houses referred to above will be interrupted by the proposed building, which being of a significantly more appropriate design and being constructed of more harmonious materials will improve the heritage amenity of this part of Maltongate.
- b) The proposed building will not dominate Brookfield, nor will it adversely affect the amenity of the neighbouring houses.

Section X-X clearly shows that the existing trees and bushes behind the Pinfold will screen the proposed building when viewed from Maltongate. This is also shown on the CGI and the photograph (Appendix 3) which illustrate that the existing trees and shrubs along the whole frontage provide more than adequate natural screening.

Section Y-Y shows that the existing mature evergreen hedge belonging to Tanglewood provides excellent screening from the proposed building.

Section Z-Z also shows that the existing converted building that is now garages and storage close to the rear of Brookfield and that the proposed building is set further away.

NYMNPA Draft Local Plan

Policy CO7 of the Draft Local Plan - Housing in Larger Villages - states that:

“In order to support the wider service function of Larger Villages, principal residence and affordable housing will be permitted:

1. On suitable small sites within the main built up area of the village. Individual dwellings should have an internal floor area of no more than 93 square metres unless, in the case of an affordable dwelling, a specific need for a larger unit has been identified;”

Thornton Dale is identified as a Larger Village.

The internal floor area of each house is 82.1 square metres which falls within the parameters of this policy.

It is understood that the Authority may give the Draft Local Plan some weight in considering planning applications.

Preliminary Ecological Appraisal

The Applicant welcomes the conclusions and recommendations of the Preliminary Ecological Appraisal dated October 2019 and is happy to co-operate with implementation of the report's findings.

Summary

During the course of pre-application consultation with NYMNPA the Applicant has carefully followed the advice given by the Authority's officers.

Following submission of the Application, consultation by the Authority and receipt of objections from interested parties, further major amendments have been made to the proposal which take account of issues identified during consultation and the legitimate concerns raised in the objections.

The proposal also accords with the wishes of objectors regarding access and design as expressed by them in 2016 in connection with Application No. NYM/2015/0919/FL.

The proposed dwellings will help meet the recognised need for smaller and affordable houses in Thornton Dale.

The design and layout will improve the heritage amenity of Maltongate and fulfils all of the criteria set by the relevant planning and heritage and conservation legislation for small development of this nature in sensitive locations.

Graham W Forster
For and on Behalf of The Applicant

25th October 2019

APPENDIX 6

REVISED CGI - VIEW SOUTH WEST ALONG MALTONGATE FROM BROOKFIELD TOWARDS CROFTBURN



Notes:

1. The new building has been reduced in height by 0.700 metres. It will not dominate the Grade 2 Listed Building, Brookfield.
- 2, The reduction in height together with natural screening by the existing trees on the site together with those in the garden of Brookfield ensure that the Maltongate Frontage is not compromised.

APPENDIX 7

PHOTOGRAPH 1

REAR OF GARAGES AND STORAGE FOR BROOKFIELD AND DALE COTTAGE



Originally pigsties, this building has been converted to form part of the Garages and Storage for Brookfield and Dale Cottage.

Note

The 2 door openings in this building are very low and will not fit a modern door frame.

APPENDIX 7 (Continued)

PHOTOGRAPH 2

BARN CONVERSION



Originally two barns, this building has been converted and a small extension added to the left-hand side to form 2 cottages now known as 2 and 3 Brookfield Gardens.