

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/1005/FL

**Development description:** construction of 1 no. principal residence dwelling and garage/cart shed with associated amenity space, parking and access

**Site address:** land rear of Cross Farm Buildings, High Street, Egton

**Parish:** Egton

**Case officer:** Mrs Hilary Saunders

**Applicant:** The Mulgrave Estate

**fao:** Mr Robert Childerhouse, Estate Office, Lythe, Whitby, YO21 3RJ

**Agent:** John Long Planning Ltd

45 The Street, Surlingham, Norwich, NR14 7AJ, Norfolk

## Director of Planning's Recommendation

Refusal for the following reasons:

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The site is not considered to form a suitable small site as it is not well related to the scale, form and grain of the existing surrounding residential development (existing and approved) within this area of Egton and would be likely to have an overbearing and detrimental impact on neighbouring residential amenity. As such the proposal is contrary to Strategic Policy M and Policy CO7 of the Local Plan which seek to confine new housing development to suitable sites within the main built up areas of the settlements of the National Park.
2	The proposal would create a large 3 bed dwelling with a total habitable floor space of over 150m <sup>2</sup> which the Local Planning Authority does not consider would meet the identified need for smaller dwellings and would therefore be contrary to Policy CO7 of the Local Plan insofar as the limited opportunities for housing development would not be used to provide for the type of housing needed to maintain a sustainable local community.
3	If approved, the proposal would make it increasingly difficult for the Local

	Planning Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a major threat to the character, special qualities and distinctiveness of the more rural settlements of the National Park and therefore have a detrimental impact the wider landscape of the Park, contrary to the aims of Strategic Policy G of the North York Moors Local Plan.
4	In the absence of a speed survey to demonstrate that the access will not be unsafe, it is considered that the access would be harmful to highway safety for users of the highway, contrary to Policy CO2 of the NYM Local Plan.

## Consultation responses

### Parish

The council had no objections to the house build itself in principal, although this would be in excess of the requirement and exceeds needs under the local plan. The local plan covers 19 years from 2016 – 2035. Over that period the objective is for the development of 551 dwellings across the whole of the National Park Looking at the population of Egton compared to the National Park as a whole it indicates that Egton’s contribution over the 19 year period would be the development of 10 dwellings. Planning has recently been approved for 12 dwellings in Egton, this therefore exceeds Egton’s contribution for the whole 19 year period.

They also had concerns about the safety of the access. They highlighted that the access is on a tight blind bend and would be dangerous for cars, cyclists, horses and pedestrians. They also thought it would be dangerous if a car was to reverse out of the access.

### Highways

7/1/2022 No objections

4/2/2022 The Local Highway Authority (LHA) has received further information since the issue of the recommendation dated 7/1/22. The earlier recommendation was done on the assumption that the access was already in use and was not expected to be any significant increase from the current use. A 1980 application was conditioned that this should be an emergency access and gated access only?

The visibility at this access has been assessed at 2m by 16 metres and a typical speed for vehicles approaching from the Grosmont direction has been estimated by the LHA at 15mph. The required vision splay for this speed is 2 metres by 17 metres. This vision splay cannot be easily improved because of the existing building but an approach speed of 14mph would meet the criteria.

It is thus recommended that a speed survey is carried out to assess the actual approaching speed of vehicles from the Grosmont direction and if the 85th percentile

speed does not meet the Manual for Street criteria of 14mph, the LHA recommendation is that the development should be denied.

### Environmental Health

No objections

### Third party responses

#### Name

#### Mr Ian Woodcock, Woodcock Consulting Limited, Dale View, Egton

We want the applicant to ensure that our hedge and boundary are fully respected but as no detailed boundary information has been included it is not possible to tell. In addition, we would raise the issue of the danger of the site entrance being located on a blind bend. This junction is already quite dangerous and unless the triangle around Cross Farm is made one way it is potentially a serious issue.

#### Mr Anthony Jackson, Cross Farm House, Egton

My main area of concern is regarding the designated site entrance and exit .This being at the North West Corner Gateway of the site between Stoneleigh and Cross Farm Buildings. I am surprised to note that the response from the current Local Highway Authority in 2022 is that they have no objections as the access from the highway is via a dropped kerb.

So visibility on what could be described as a "Blind Bend" is of no consequence even though there has been a vast increase in traffic past the site entrance over the past 42 years namely as a result of the steam railway development at Grosmont.

If the planned development of Cross Farm Buildings into a residential property goes ahead then the proposed site access will be servicing two residential properties. When Cross Farm Buildings were approved for change of use it was directed that access to the buildings was via the entrance to the then existing abattoir.

I would like to put on record that I have no objection to the subject site being developed for a residential property but the proposed access is totally unsuitable.

The current proposal seems to be the easy option where as if the development is to go ahead it needs some thinking "Outside of the Box"

### Publicity expiry

Site notice expiry date 3 February 2022

Existing access the site



Frontage building with recent permission for conversion to dwelling



Looking from within the application site towards low height converted barn on road frontage



## Background

The application site is located within the central part of the village of Egton on the junction High Street and the Grosmont Road. It is bounded by residential properties to the east and recently approved residential conversion immediately to the front and a former slaughterhouse to the rear that is currently used for commercial purposes.

The site is within the Egton Conservation Area but is not within the curtilage of a listed building.

The site comprises a grassed area, previously having been used for livestock grazing. The planning application site, including the access extends to approximately 776 sqm.

This planning application seeks full permission for the erection of 1 no. principal residence dwelling with a detached garage/cart shed. The dwelling would be constructed of stone and pantile and be served by an existing access from the High Street.

The dwelling would be a two storey, three bedroom (including master bedroom with separate dressing room and ensuite) and detached dwelling, measuring 17m long x 6.075m deep at ground floor and 12.3m long at first floor. The height to the eaves would measure 5m and to the ridge would measure 8.6m.

## Main issues

### Local Plan

The relevant Local Plan policies are Strategic Policy M (Housing) and Policy CO8 (Housing in smaller villages).

**Strategic Policy C - Design** - seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design that reflects architectural character and form of the original building or the local vernacular; the siting, orientation, layout and density complement existing buildings; the scale, height, massing and form are compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers.

**Strategic Policy M - Housing** – seeks to ensure the delivery of new homes to help meet the needs of local communities and be delivered through the development of sites on suitable small sites in listed settlements, with principal residence and affordable housing on suitable small sites in Larger Villages.

**Policy CO7 - Housing in Larger Villages** – Sets out that in order to support the wider service function of Larger Villages, principal residence and affordable housing will only be permitted on suitable small sites within the main built up area of the village only, with proposals meeting the need for smaller dwellings, or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

**Policy CO2 – Highways** - only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety; the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids; and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

### Material Considerations

The main issues are considered to be whether the site can be considered a suitable small site within the main built up area of Egton, and whether the scale and design of the proposed development would be in keeping with the character of the locality.

The housing policies contained within the NYM Local Plan are set out above and are specific in terms of new housing development being in keeping with the form and grain of a settlement pattern. Egton is not characterised by development in rear gardens and the proposed design, size and scale (substantial ground floor footprint with the height to the ridge being 8.6m) of the proposed dwelling would relate extremely poorly to the single storey element of the range of slaughterhouse buildings to the west and the

single storey linear building on the road frontage, which is not only of much lower height, but also set at a significantly lower ground level. It is considered that the construction of a dwelling at the rear of this frontage unit which is currently being converted to a residential dwelling unit would result in an unacceptable level of overlooking of the rear amenity area and have an overbearing impact on its outlook.

Furthermore, Policy CO7 of the Local Plan seeks to ensure that new development meets the identified need for smaller dwellings. The proposal would create a substantial 3 bed detached dwelling (large master bedroom with ensuite bathroom and dressing room) with a total habitable floor space of over 150m<sup>2</sup>. It is not considered that a dwelling of the size proposed would meet the identified need for smaller dwellings and would therefore be contrary to Policy CO7 of the Local Plan insofar as the limited opportunities for housing development would not be used to provide for the type of housing needed to maintain a sustainable local community.

The Highway Authority, Parish Council and neighbours have expressed concerns regarding the suitability and safety of the access into the site. The visibility at this access has been assessed at 2m by 16 metres and a typical speed for vehicles approaching from the Grosmont direction has been estimated by the LHA at 15mph. The required vision splay for this speed is 2 metres by 17 metres. This vision splay cannot be easily improved because of the existing building but an approach speed of 14mph would meet the criteria.

The Highway Authority has advised that a speed survey would need to be carried out to assess the actual approaching speed of vehicles from the Grosmont direction and if the 85th percentile speed does not meet the Manual for Street criteria of 14mph, then the proposal would be unacceptable.

In view of the above it is considered that the proposal would be contrary to both Strategic Policy M and Policies CO7 and CO2 of the NYM Local Plan and consequently refusal of the application is recommended.

#### **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.