



**LAVINGHAM**  
**PLANNING CONSULTANTS**



## Design, Access & Planning Statement

**Location:** 10 South End, Osmotherley

**Proposal:** Conversion and Extension of Outbuildings to Form  
One Dwelling and Alterations and Extension to Existing  
Dwelling

**Applicant:** K Livingston

**Prepared by:** Lavingham Planning Consultants Ltd

**Date:** October 2017

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## Executive Summary:

This 'Design, Access and Planning Statement' accompanies a detailed application for planning permission by K Livingston for the conversion and extension of existing adjoining outbuildings at 10 South End, Osmotherley to form one dwelling house and alterations and extensions to the existing dwelling at 10 South End. A concurrent application for Listed Building Consent is submitted due to the range of outbuildings being within the curtilage of 10 South End, which is a Grade II Listed building.

This application relating to the creation of the dwelling within the outbuildings follows the refusal of a previous application for a similar but larger development scheme in 1999 as part of NYM2/113/0118A/PA. This supporting statement seeks to address the concerns which were raised as part of this previous application and which formed reasons for refusal. This statement demonstrates how the design of the scheme and additional evidence, satisfactorily addresses the previous concerns of the North York Moors National Park Planning Authority.

The overarching vision for the site is to recognise the importance of the Listed building at 10 South End, along with the setting of this heritage asset, whilst acknowledging the contribution the site and buildings at 10 South End make to the character and appearance of the wider street scene and Conservation Area. How the scheme can harmonise with the locality and Listed Building and secure use for long term empty buildings whilst at the same time delivering a sustainable dwelling serving a useful purpose for the future, providing a family home and contributing to the future sustainability of the local village economy are key objectives of the scheme.

The existing range of outbuildings would be extended at ground and first floor level to provide the level of internal accommodation for a 3 bedroomed dwelling with a footprint of 68 sqm, part two storey and part single storey, together with an integral garage of 22sqm.

Vehicles would use the existing, privately owned, driveway access to the public highway to the north-west of the site, positioned directly to the north-west of the buildings proposed for conversion. Parking and vehicle access for the existing dwelling at No.10 would be located to the land in ownership to the northeast of the principal elevation of the existing dwelling. This area, formerly hardstanding, partially cobbled and flagged with asphalt path, currently overgrown and maintained as grass, has existing access to the highway. The area would revert to hardstanding, cobbles and flags with stone tracks as opposed to the previous asphalt path. The grassed area would be retained to a similar extent as originally in place although much earlier, the whole frontage to No 10 was given over to hardstanding.

The application site currently comprises a residential dwelling with adjoining two and single storey outbuildings whose original purpose no longer applies and so have been unused for at least 40 years. They are not of the same construction quality as the original dwelling and as such have become structurally unstable in many parts including the roof, although following previous structural reports, interim measures have secured their stability, but their future ability to be used has not been secured. To ensure their continuation as part of the overall

fabric of the local area and the context for the surrounding dwellings, a viable use is required to make the buildings part of the sustainable fabric of the local conservation area.

The recent structural survey of the current condition of the existing fabric, submitted as part of this application, together with the assessment of the heritage statement, advises on those elements which are structurally unsound without the use of interim support, those in a substantially poor condition unfit for domestic use and those which with careful repair can be retained.

The proposed works would involve the partial demolition of the single storey projection to the rear (south-western) elevation of the range of outbuildings, albeit retaining the west wall, to accommodate a single storey rear projection from the proposed dwelling reusing the resulting materials. The existing extension has a significant crack in the south facing wall proposed for demolition, with a tree growing through the wall.

The report also considers the faulty roof design giving rise to eaves spread of the south and west walls to the cart house, with the internal north-south dividing wall between the cart house and the front outbuilding having lost its structural integrity with several severe cracks from top to bottom that cannot be repaired. Although the roofs to the outbuildings appear to have been predominantly replaced recently, ie some 30 years previous, the problems with the substantive structure were not dealt with at that time and the structural report recommends that these roofs require to be taken down and replaced with a roof structure redesigned by a structural engineer with defective rainwater systems of gutters and down pipes addressed.

The report also proposes that the east west walls forming the southern elevation together with the west walls affected by the eaves spread be dismantled and rebuilt as required for structural roof support if the buildings are proposed for sustainable future use. The report proposes the remedying of defects and frost damage through repair including the retaining element of the lower west elevation. To ensure additional stability, it is proposed that new block liner walls as proposed, be fully tied to the existing walls and rebuilt sections provided by the reinstatement of the first floor and roof diaphragms.

In essence the roof requires to be redesigned, the east wall is in good condition whilst the north and west walls can be repaired. However the south walls and the internal north south dividing wall require to be taken down and rebuilt to provide adequate structural roof support.

It is proposed that bracing for the external walls is adopted as required while stonework is being dismantled or repaired. New openings in the existing walls to be retained have been kept to a minimum for stability, with the main openings reserved for those walls to be dismantled and rebuilt. It is proposed that inner liner support walls be built and tied into the existing walls and rebuilt sections to ensure the additional stability provided by the reinstatement of the first floor and roof.

The conversion assessment is set out in the Heritage statement and the Structural condition inspection reports the works to be undertaken and details of the approach adopted for repair.

A detailed method statement following recommended guidelines for the order of construction will be prepared prior to construction commencement, following approval to proceed.

The works to the existing dwelling at No.10 comprise maintenance to re-cover the main dual pitched roof with clay pantiles to match existing, the replacement of rainwater goods in poor condition with similar matching black painted cast iron, and the extension of the existing single storey lean-to projection to the rear (southern) elevation of the dwelling with an overall increase in its footprint of 10 sqm to improve the constricted kitchen – dining area whilst changing the single skin walls into double skin for energy efficiency.

The application site is within the development limits of Osmotherley, which is classed as a local service village in the North York Moors National Park Authority's settlement hierarchy. The application site is also within the Osmotherley Conservation Area and Article 4 Direction. The range of outbuildings adjoin No 10 South End which is a Grade II Listed Building, and therefore, being within the curtilage of this structure, are considered Listed by association.

The planning balance is reviewing the sustainability credentials of the proposal, in terms of the social, economic and environmental benefits of the development, which can be realised through understanding the alignment of the scheme to the Authority's Local Plan policy and the National Planning Policy Framework.

The application is accompanied by photographs from available public viewpoints in the vicinity at appendix 1. These principally comprise, the approach to the dwelling along the public highway from the south-east, the view directly opposite the dwelling, the view from the public right of way off School Lane to the south of The Applegarth, and the distant view looking north-east from the corner of Colgate Lane. The photographs demonstrate that the design, positioning and orientation of the extension and alterations to the existing outbuildings on site would not only respond to the characteristics of the site and the surrounding built form within the Conservation Area, but also preserves the positive contribution that built form on this site makes to surrounding public viewpoints, and the setting of the adjacent Listed Building.

It is recognised that development must comply with the North York Moors National Park Authority Local Planning Policy in addition to the relevant sections of the National Planning Policy Framework. This statement demonstrates how the previous reasons for refusal as part of NYM2/113/0118A/PA have been overcome through design change and the provision of additional evidence to address the Local Planning Authority concerns.

For the above reasons we respectfully request that the granting of planning permission be now considered.

## 1.0 Introduction

- 1.1 This statement accompanies a detailed application for planning permission for the conversion and extension of the adjoining outbuildings to 10 South End, Osmotherley, North Yorkshire to form one dwellinghouse, and minor alterations and extensions to the existing dwelling at 10 South End.
  
- 1.2 The purpose of this Design, Access and Planning Statement together with the accompanying documentation is to address the key planning issues arising from the proposed development and to show compliance with regard to the Local Development Plan, and the National Planning Policy Framework (NPPF).

## 2.0 Site Description

- 2.1 The application site currently comprises a terraced three bedroom residential dwelling with a range of stone and rubble, two and single storey outbuildings adjoining to its western elevation. The outbuildings no longer serve a useful purpose and have been empty for at least 40 years. They now need to be put to a viable and sustainable use.
- 2.2 The existing outbuildings are in a poor condition. The structural survey advises that the cart house and front and rear outbuildings and the rear lean to extension have been of poor design and construction coupled with neglect over many previous decades which have led to significant structural defects. The conclusions and recommendations section of the structural report detail the require remediation measures. These are also summarised in the executive summary of this statement.
- 2.3 The application site is within the Osmotherley Conservation Area and Article 4 Direction. The range of outbuildings are adjoin No 10 South End which is a Grade II Listed Building, and are within the curtilage of this structure and as such are considered Listed by association.
- 2.4 The site sits to the south-western periphery of Osmotherley which is defined as a local service village in the Local Planning Authority's Sustainable Settlement Hierarchy. The village has a range of facilities including three public houses with restaurants, local shop-newsagents, three churches, garages, school, fish and chip shop, coffee shop, youth hostel and bus services. Osmotherley is located close to the A19 and to which there is good vehicular access. By road Northallerton is positioned 7.1 miles to the west.
- 2.5 Osmotherley's development limits boundary includes 10 South End and its range of outbuildings which are proposed to be converted and extended as part of this application.
- 2.6 The application site is located within Flood Zone 1.
- 2.7 Domestic curtilage sits to the north, south-west and south-east of the buildings, the subject of this application. Beyond this, agricultural land extends to the south, with Colgate Lane at the southern periphery. A public right of way extends southwards from School Lane to Colgate Farm and provides limited views from west of the application site.
- 2.8 The dwelling was Grade II Listed on 31<sup>st</sup> March 1970. The Listing description states: *House. Mid C18, raised and altered in late C19. Ashlar, coursed squared stone, pantile roof. 2 storeys, 2 bays. Plinth, raised quoins, and remains of wide first-floor band. Central 6-panel door with overlight set in raised quoined surround with lintel. All windows are 4-pane sashes with stone sills and plain lintels. Shaped kneeler to left. Stone coping with shaped kneeler to right, end stacks.*

## 3.0 Proposed Development

### Outbuildings Adjoining No 10 South End

- 3.1 Detailed planning permission is sought for the conversion and extension of the existing adjoining redundant outbuildings at 10 South End, Osmotherley to form one dwellinghouse.
- 3.2 The overarching vision for the site is to recognise the importance of the Listed building at 10 South End, along with the setting of this heritage asset, whilst acknowledging the contribution the site and buildings at 10 South End make to the character and appearance of the wider street scene and Conservation Area. How the scheme can harmonise with the locality and Listed Building and secure use for long term empty buildings whilst at the same time delivering a sustainable dwelling serving a useful purpose for the future, providing a family home and contributing to the sustainability of the local village economy are key objectives of the scheme.
- 3.3 The accompanying proposed plan and elevations drawing shows how the site will be developed in terms of the scale, orientation and position of the proposed dwelling. Osmotherley comprises a mix of dwelling types, style and age, however, the proposed approach reflects the design in the immediate locality, particularly at 10 South End and the terraced properties to the south-west of South End, thus preserving the character and appearance of the Conservation Area.
- 3.4 Creation of the dwelling involves the extension of the existing single storey outbuilding to the north-west of the site to form a two storey structure and the formation of a single storey mono-pitch projection, matching the extension to the existing dwelling, to the rear (south-western) elevation in place of the existing low level outbuildings. The first floor extension allows for basic first floor sleeping accommodation and the single storey extension on the ground floor, accounts for the off-set of the space taken by the integral garage. The stabilising of the roof construction, at the same lower ridge height adjoining the existing dwelling, together with the raising of the ridge at the western edge of the front outbuilding still remaining lower than the adjoining roof and screened by No.8 South End, has retained the character of the north facing elevation.
- 3.5 The entrance to the existing cart house is widened together with essential structural works to allow use for modern day vehicles. The entrance width of the double doors to the outbuilding is inadequate and interim supports to stabilise the structure prevent the former cart house functioning as a garage facility for modern day vehicles. The ground floor comprises a hallway, utility/w/c, kitchen and study-living room extension linking through to a living/dining area with internal borrowed light from glazing to the south. At first floor, the extent of accommodation would comprise three bedrooms, a bathroom and storage cupboard.



- 3.6 The existing privately owned driveway used for parking, accommodates two cars and is retained to serve the proposed dwelling. The return of the privately owned frontage of the original dwelling, of part hard standing, cobbles, flags and path, retains the setting of the building with part grassed frontage and allows parking for two vehicles for the existing dwelling, as is indicated on the proposed block plan. This parking area is on private land in the applicant's ownership and does not impinge adversely on other parking or access on the highway. The front boundary, edged with stone, would remain with access by paved tracks with an equivalent area of grass frontage as originally enjoyed.
- 3.7 The extensions to the existing range of outbuildings would comprise stone to match with the existing stone structures, making reuse of available existing stone, and with a natural clay pantile roof. Removal of elements of cement mortar would be repointed with lime mortar. Windows and doors would be timber framed with windows set back a minimum 50mm from the wall surface. Rainwater goods would be black painted cast iron with traditional fixings.
- 3.8 Hard landscaping forming part of this development is either existing or as shown on the accompanying proposed drawings. A dividing stone wall is shown as proposed between the rear curtilages of the existing dwelling at No.10 and the proposed dwelling. This would sit at a height of 1.8m immediately adjacent to the rear of both properties for privacy, lowering to 1.2m in height, at a similar level to that between No 12 and No 10, to adjoin with the southern curtilage boundary.

## 10 South End

- 3.9 Maintenance works and a minor reconfiguration to the single storey, more recent kitchen extension of 10 South End is also proposed as part of the proposed application for the planning permission and Listed Building Consent. Specifically as part of the works, it is proposed to extend by 10 sqm, the footprint of the single storey, rear mono-pitch kitchen extension to the main dwelling, together with the removal of an internal window to the kitchen, forming an opening allowing a further extension to the somewhat restricted kitchen-dining area. Aside from the above, the original historic layout of the main dwelling will remain unchanged. Maintenance works are also proposed to the existing main roof covering of the dwelling with pantiles reused or to match existing. It is also proposed to replace existing cast iron rainwater goods in poor condition with similar matching black painted cast iron goods affixed in a traditional manner.

## 4.0 Relevant Planning History

4.1 The application site has planning history relating to the previous planning submission in 1999 as part of NYM2/113/0118A/PA for the proposed conversion of the existing outbuildings to a dwellinghouse.

### 4.2 1999 Application for Planning Permission –

NYM2/113/0118A/PA – Change of Use and Alterations to Outbuilding to form dwelling and integral garage; Refused 22 July 1999.

#### Refusal Reasons:

1. The proposed development with particular regard to the significant alterations to the existing outbuildings would detract from the character and proportions of the buildings to the detriment of the appearance of the Osmotherley Conservation Area. The proposal is as such considered to be contrary to policy BC2 of the North York Moors Local Plan which states that National Park Committee will seek to retain all buildings and features which make a significant contribution to the character of the area. It is further considered that the detailed alterations do not enhance the character of the building and the proposal is therefore in conflict with the above policy which states that where new development in Conservation Areas is permitted it should enhance the character of the area by virtue of its high standard of design.
2. The proposed development by reason of the extent of the alterations and extensions together with the unsatisfactory nature of the proposed detailed design is considered to be contrary to policy BC7 of the North York Moors Local Plan which states that the National Park Committee will only grant permission for alterations and extensions to listed buildings where it can be shown that these would not have an adverse effect upon their character and fabric.
3. The proposals by reason of their scale, design and rear extension would detrimentally affect the setting of the main house which is a listed building and detract from its character and appearance to an unacceptable degree. The application is therefore considered to be contrary to policy BC8 of the North York Moors Local Plan which states that high standards will be sought to ensure that new developments adjacent to a listed building are sympathetic in terms of siting, scale, design, materials and detailing.
4. The local planning authority consider that the existing outbuildings serve a useful function for the incidental storage, accommodation or garage reasonably required for the domestic purposes of Number 10 South End. The loss of this facility may lead to a requirement for additional replacement storage buildings and extensions to the dwelling to compensate for the loss of the outbuildings to the detriment of the character and appearance of the Conservation Area.
5. The local planning authority considers that the creation of an additional dwelling will result in an increase in vehicles being parked in the front garden areas of the existing and proposed dwelling. It is considered that this will unacceptably detract

from the existing character and appearance of this area of the Osmotherley Conservation Area.

6. The development, if approved, would be likely to give rise to the parking of vehicles within the highway both through the loss of existing parking space for adjacent premises and also by the generation of additional vehicles associated with the development.

## 5.0 Planning Policy Background

5.1 This section of the Statement details the current national and local planning policy context against which the proposed development should be assessed. For ease of reference, all relevant policies and guidance have been summarised.

### National Planning Policy Framework

5.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

5.3 Crucially, paragraph 14 of the NPPF establishes a presumption in favour of sustainable development, which should be seen as a 'golden thread' running through both plan-making and decision taking. For decision-taking this means:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or*
  - *Specific policies in this Framework indicate development should be restricted.*

5.4 Paragraph 7 of the NPPF identifies three dimensions to sustainable development, namely economic, social and environmental, which are explained as follows:

- *Economic – contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation;*
- *Social – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *Environmental – contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

- 5.5 Paragraph 17 of the Framework sets out 12 Core Planning Principles to underpin plan-making and decision-taking. Importantly, in relation to this application, Core Planning Principles 3, 4 and 11 state that planning should:
- *“...proactively drive and support sustainable economic development to deliver the homes...that the country needs. Every effort should be made objectively to identify and then meet the housing.....needs of an area, and respond positively to wider opportunities for growth...;*
  - *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of the land and buildings;*
  - *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
  - *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and*
  - *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs”.*
- 5.6 Paragraph 128 defines how the historic environment should be conserved and enhanced states that applicants should describe the significance of the heritage asset affected, including any contribution made to their setting and that the level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 5.7 Paragraph 129 advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of the heritage asset) taking account of the available evidence and any necessary expertise.
- 5.8 The approach of the NPPF at paragraph 132 is that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 5.9 Section 6 of the NPPF relates specifically to delivering ‘a wide choice of quality homes’. Throughout this section of the NPPF, the Government aims to deliver a wide choice of

high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 5.10 The NPPF sets out the Government’s objectives to provide sufficient high quality housing to meet local needs, both now and in the future. Paragraph 47 advises that LPA’s must:

*“use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period”.*

- 5.11 Paragraph 50 highlights the need for development which delivers a wide choice of high quality homes, widen opportunities for home ownership and creates a sustainable, inclusive and mixed communities, local planning authorities should:

- *“plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);*
- *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and*
- *where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.”*

- 5.12 Section 12 of the NPPF refers to conserving and enhancing the historic environment, and specifically paragraph 131 directs local authority in how they should determine planning applications in this regard. It states that local authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

5.13 The overriding message from the NPPF is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. In particular, they should approve proposals that accord with statutory plans without delay. The Framework proposes that planning permission should be granted where the plan is absent, silent, or where relevant policies are out of date. The Framework suggests that the primary objective of development management is to foster the delivery of sustainable development. Furthermore, the advice states that local planning authorities should look for solutions rather than problems and decision makers at every level should seek to approve applications for sustainable development where possible.

### National Planning Practice Guidance

5.14 National Planning Practice Guidance (NPPG) was first published in March 2014, and has undergone a number of amendments and additions since that time. The NPPG contains guidance of relevance to both the registration, processing and consideration of planning applications. One of the key components of the NPPG is the issue of design, acknowledging that 'good quality design is an integral part of sustainable development'. The NPPG also offers practical guidance in relation to, amongst other things, flood risk, noise, public open space, transport, the natural and historic environment, viability and water supply.

### The Local Development Plan

5.15 Section 38(6) Planning and Compulsory Purchase Act (2004) requires that if regard is to be had to the development plan in any determination, that determination shall be in accordance with the plan unless material considerations indicate otherwise. Section 38(5) requires that, where policies in the development plan conflict, the conflict must be resolved in favour of the last document to be adopted.

5.16 The North York Moors National Park's development plan currently comprises the Core Strategy and Development Policies document (2008) together with supplementary planning documentation, the Whitby Business Park Area Action Plan and the Helmsley Plan.

5.17 Work on a new Local Plan covering the period 2017-35 is now underway. In September 2016 the 'First Steps' documents, which asked for initial views on what it should contain, was published. A summary of the consultation responses was published early September 2017. The next stage of consultation, Regulation 19 stage, will seek views

on the final draft of the plan, currently programmed for the 2<sup>nd</sup> October 2017 with submission to Government for independent examination in January 2018.

### Core Strategy and Development Policies Development Plan Document

- 5.18 This is a key document which forms a significant part of the North York Moors Local Development Framework. The policies in this document replace the saved policies in the North York Moors Local Plan (2003). The Local Development Framework system provides an opportunity to bring together other plans and strategies for the Park and deliver the spatial elements of these whilst balancing these interests within the context of sustainable development and National Park purposes. This document includes Core Policies and Development Policies that will form the Development Plan which will deliver the long term spatial vision for the future of the Park.
- 5.19 Those policies of particular relevance to the proposed development are:
- Core Policy A - Delivering National Park Purposes and Sustainable Development
  - Core Policy B – Spatial Strategy
  - Core Policy G - Landscape, Design and Historic Assets
  - Development Policy 3 – Design
  - Development Policy 4 – Conservation Areas
  - Development Policy 5 – Listed Buildings
  - Core Policy J – Housing
  - Core Policy M – Accessibility and Inclusion
  - Development Policy 23 – New Development and Transport
  - Osmotherley & Thimbleby Village Design Statement
- 5.20 The relevant requirements of each policy are expanded below:
- 5.21 Core Policy A: This policy seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park’s special qualities. Priority will be given to:
1. Providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors.
  2. Providing for development in locations and of a scale which will support the character and function of individual settlements.
  3. Maintaining and enhancing the natural environment and conditions for biodiversity and geodiversity.
  4. Conserving and enhancing the landscape, settlement, building features and historic assets of the landscape character areas.



5. Applying the principles of sustainable design and energy use to new development.
  6. Enabling the provision of a choice of housing that will meet the needs of local communities in terms of type, tenure and affordability.
  7. Strengthening and diversifying the rural economy and providing tourism based opportunities for the understanding and enjoyment of the Park's special qualities.
  8. Enabling access to services, facilities, jobs and technology whilst minimising the environmental impacts of transport
- 5.22 Core Policy B: The overarching strategy to meet the needs of people in the National Park is based upon improving the sustainability of local communities by supporting, improving and consolidating existing services and facilities, providing additional housing and employment opportunities within settlements and enabling alternative modes of travel to the private car. Osmotherley is categorised within this hierarchy as constituting a local service village where the following development will be focused:
- (a) Housing to meet an identified local need to live in the parish and affordable housing.
  - (b) Employment development to support existing or provide new employment opportunities and support and diversify the rural economy.
  - (c) Improve existing facilities and provide new facilities to consolidate the role in service provision.
- 5.23 Core Policy G: The landscape, historic assets and cultural heritage of the North York Moors will be conserved and enhanced. High quality sustainable design will be sought which conserves or enhances the landscape setting, settlement layout and building characteristics of the landscape character areas identified in the North York Moors Landscape Character Assessment. Particular protection will be given to those elements which contribute to the character and setting of:
1. Conservation Areas
  2. Listed Buildings
  3. Historic Parks and Gardens
  4. Scheduled Monuments and other sites of archaeological importance
- The re-use of buildings of architectural and historic importance which make a positive contribution to the landscape and character of the National Park will be encouraged.
- 5.24 Development Policy 3: To maintain and enhance the distinctive character of the National Park, development will be permitted where:
1. The siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to

the character and quality of the environment and will not result in the loss of an open space which contributes to the amenity, character and setting of a settlement.

2. The scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with surrounding buildings, and will not have an adverse effect upon the amenities of adjoining occupiers.

3. A high standard of design detailing is used whether traditional or contemporary, which reflects or complements that of the local vernacular.

4. Provision is made for adequate storage and waste management facilities.

5. Good quality sustainable design and construction techniques are incorporated in the development including measures to minimise energy use and where possible use energy from renewable sources.

6. A satisfactory landscaping scheme forms an integral part of the proposal.

7. The design takes account of the safety, security and access needs for all potential users of the development and provides car parking provision in line with the standards adopted by the Authority.

5.25 Development Policy 4: Proposals for development within or immediately adjacent to a Conservation Area will only be permitted where they preserve or enhance the character and appearance or setting of the area and where:

1. Buildings and features, including open spaces, watercourses, trees, hedges, walls and railings that make a significant contribution to the character and appearance of the Conservation Area are retained and respected.

2. The scale, proportions, design detailing and materials of the development respect the existing architectural and historic context with reference to:

(a) the form, scale, proportions, design detailing and materials of traditional buildings.

(b) historic plot boundaries and layouts.

(c) traditional street patterns.

(d) the relationship between buildings and spaces.

(e) views into and out of the area.

3. In cases where the demolition of a feature or building that makes a positive contribution to the character and appearance of the Conservation Area is proposed, there is an overriding justification for the proposal.

5.26 Development Policy 5: Proposals for the alteration, extension or change of use of a Listed Building or the construction of any structure within its curtilage will only be permitted where they will not have an unacceptable impact on the special historic or architectural interest of the building.

Any development which would have an unacceptable impact on the setting of a Listed Building will not be permitted.

Proposals for the demolition of a Listed Building will not be permitted unless there is overriding justification to warrant this.

5.27 Core Policy J: A mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This will be delivered through:

1. Locating all open market housing, including new build and converted units, in the main built up area of the Local Service Centre of Helmsley and the Service Villages. On larger sites more than 0.1 hectares or where 2 or more residential units are proposed, at least 50% of the resulting units must be affordable including conversion schemes. The 50% target may be varied in the light of the viability of the development, and is an interim figure for a period of 3 years, pending the completion of a general affordable housing viability assessment. Sites of less than 0.1 hectare must meet the definition of a small infill gap.

2. Supporting the development of local needs housing located on infill sites or as a conversion of an existing building within the main built up area of the Local Service Villages and Other Villages.

The occupancy of local needs housing will be restricted to:

A People who are currently living in and have permanently resided in the National Park for 5 years or more and are living in accommodation that no longer meets their requirements or

B People who do not currently live in the National Park but have a strong and long standing link to the local community including a previous period of residence of 5 years or more or

C People who have an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous 5 years or more and require support for reasons of age or infirmity or

D People who require support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous 5 years or more or

E People who need to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park.

5.28 Core Policy M: Through strong and effective partnerships the Park Authority will work to improve accessibility to services and facilities within and beyond the National Park for all users and to encourage more sustainable patterns of travel. This will be achieved by:

1. Locating new development in settlements where services and facilities are available or where they can be accessed in another settlement by a range of transport modes.
  2. Supporting the development and implementation of Service Centre Transportation Strategies contained in the North Yorkshire County Council Local Transport Plan for Helmsley and Kirkbymoorside, Pickering and Thornton-le-Dale, Stokesley and Great Ayton, Whitby and Esk Valley, Scarborough, Thirsk and Northallerton.
  3. Demand management measures that reduce seasonal traffic congestion, minimise the environmental impacts of transport and increase road safety for the benefit of all users.
  4. Supporting the development of community transport initiatives such as the Esk Valley Community Railway.
  5. Improving accessibility through the use and development of innovative and alternative modes of transport to the private car – including public transport, walking, cycling and horse riding.
  6. Providing access to new developments in technology and communications services.
  7. Reducing the need to travel.
- 5.29 Development Policy 23: In order to effectively minimise the overall need for journeys and reduce the environmental impacts of traffic on the National Park, development will be permitted where:
1. Its location is, or is capable of being, accessed by public transport, walking or cycling.
  2. Existing Public Rights of Way, linear routes and other access routes for pedestrians, cyclists and horse riders are protected.
  3. The external design and layout and associated surfacing works take into account the needs of all users including cyclists, walkers and horse riders.
  4. It is of a scale which the adjacent vehicular road network has the capacity to serve without detriment to highway safety or the environmental characteristics of the locality.
  5. Highway detailing, road improvements and street furniture are complementary to the character of the area and are the minimum required to achieve safe access.
  6. Existing attractive or historic highway features important to the character of the National Park are preserved.
  7. Parking is provided in accordance with the relevant maximum standards adopted by the Authority.

## 6.0 The Principle of Development

- 6.1 Having regard to the local and national planning policy and guidance context it is considered that the principle of development turns on the approach to the criteria of the adopted local planning policy which in turn seeks to meet the requirements of the NPPF, particularly in regard to the location of new dwellings (including the provision of a local occupancy dwelling), the impact on the setting of the Listed building and the heritage asset itself, the design of the conversion and extension works, the provision of an adequate and safe access commensurate to the size of the dwelling being proposed, protection of neighbour amenity, and the suitable response of the proposed dwelling to issues of flood risk. The acceptability of the development also hinges on its ability to be sustainable development and a detailed analysis of how this is achieved, particularly through the positive approach to the reuse of empty buildings that form part of the environmental heritage is set out. It is also important to review how the previous reasons for refusal are reflected in current local planning policy, and how the development is able to satisfy the current criteria.

### Location of New Dwelling

- 6.2 The proposed development would comprise the conversion of an existing building within the main built up area of the Local Service Villages. The applicant, who meets the Local Occupancy criteria, having lived in the village for 25 years, does not propose to sell the new dwelling but to live in it whilst undertaking the maintenance and renovation of the existing dwelling for sale as a permanent residence to meet the outlay associated with making the Listed Buildings sustainable for the future. Core Policy J is therefore satisfied in this regard. In designating Osmotherley as a Local Service Village that National Park Authority have recognised its positive sustainability credentials in relation to the amenities that it contains (within walking distance of the application site) and good connectivity to settlements within and higher in the settlement hierarchy by means other than the private car.
- 6.3 In this regard Core Policy B would be comfortably satisfied as the development would meet the needs of people in the National Park, improving the sustainability of local communities by supporting, improving and consolidating existing services and facilities, providing additional housing and employment opportunities within settlements and enabling alternative modes of travel to the private car. Additionally Core Policy A, criterion 2 would be satisfied as the proposal would result in development in locations and of a scale which will support the character and function of individual settlements.

### Impact on the Setting of the Listed Building and Heritage Asset

- 6.4 The setting of the Listed Building is appreciated from a very limited number of public viewpoints in the locality as is detailed at appendix 1. Specifically these comprise the view of the principal elevation from South End looking south-west towards the outbuildings, the view of the side (western) elevation of the dwelling when looking

south-east from the public right of way off School Lane linking with Colgate Lane, from Colgate Lane looking north-east towards the rear (southern) elevation of the dwelling. Aside from these viewpoints the setting of the Listed building is not appreciated readily from any other public place from within or surrounding the settlement.

- 6.5 The current design of the outbuildings on site adopt a subservient formation from the main Listed dwelling to which they adjoin. There is a clear distinction that they serve an ancillary function which is not in competition with the host structure. Given that the setting of the Listed building is most sensitively viewed from South End it is crucial that this relationship between the main dwelling and the outbuildings is maintained. This is a key difference to the drawings which were submitted as part of the 1999 application where a uniform ridgeline was maintained to the principal elevation of the dwelling, which created a dominant structure, which was considered to undermine the setting of the Listed Building through eroding the character of its setting which is established by the subservient appearance of the structures to public viewpoints. One of the key changes to the 1999 submission is achieved by reducing the scale of development and avoiding the dominance of a continuous roof line for the outbuildings by constructing the roof line of the front outbuilding as a lower separate entity, than the existing ridge height of the cart house.
- 6.6 The previous scheme also introduced additional domesticised windows to the principal elevation which was considered to undermine the character of the structure further by altering its appearance from forming an subsidiary function to the main dwelling at 10 South End, potentially at one stage agricultural, to a domestic dwelling. The revised approach proposes no additional windows or openings to the principal elevation, but the retention of the existing, simplistically detailed extent of openings of which only the door is proposed to be marginally repositioned to cater for the revised internal layout and use.
- 6.7 The glimpse of the setting of the Listed building can also be seen at one point, at a right angle from the public right of way off School Lane as can be seen in appendix 1. This long distance view is taken west of 10 South End. The view is of the backdrop to the main dwelling of 10 South End, domestic property from both sides of South End, and the rising moor and agricultural land beyond. The varied heights of the existing roof pitches are a visible feature from this public viewpoint. The bottom corner of Colgate Lane to the south of the site (which is separated by open agricultural land) also provides a brief but distant view of the upper floor portions of no.10 South End and its adjoining outbuildings, as the lie of the land obstructs any view below the sill of the first floor windows of the south elevation.
- 6.8 The design of the proposed dwelling has been simplified to maintain the irregularity of the roof slopes to this elevation. The massing of the two storey structure has also been configured to sit on the backdrop of the existing built form which sits in the backdrop of the application site when viewed from the public right of way. The massing of the western elevation was an area of concern in the 1999 application, specifically the case

officers report stated “the resultant dwelling would have an untraditionally wide gable with a relatively shallow pitched roof which would in itself be out of character with the traditional buildings of the village”. The revised approach as part of this application has lessened the width of the gable to 7.5m, bringing it to a two storey projection of 0.5m greater than the existing rear projection (the rear of the outbuildings currently projects beyond the rear elevation of the main Listed dwelling at no.10). This is within the range of gable pitch and spans to be found within the stone built traditional buildings within the centre of the village.

- 6.9 Due to this positive reduction in massing, the proposed alterations are able to conform to the character and appearance of the existing street scene and built form which permits the positive setting of the Listed Building, albeit viewed from very limited public viewpoints, to be preserved. Development Policy 5 refers specifically to the preservation of the setting of the Listed Building, which is sufficiently satisfied in this instance. The detailed and considered view of the Heritage Statement concludes that the proposed development will result in an overall positive impact upon the settings of the listed buildings on South End and the wider Osmotherley Conservation Area and endorses the view that the impact of the proposed development is considered to have an overall neutral effect on the significance of the listed building and as such, fulfils the heritage criterion of ‘sustainable development’ defined in NPPF (CLG 2012, 31-32). The development seeks to adapt the heritage assets in a mode sympathetic with their surroundings, in order to maintain them in a viable use consistent with their original use and long-term conservation (CLG 2012, 31), thereby ensuring their continued contribution to quality of place.

### Design of the Conversion and Extension Works

- 6.10 Good design is given great importance in the Framework as a key part of sustainable development. Paragraph 58 of the NPPF identifies the need for high quality inclusive design which meets the following criteria:
- *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
  - *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
  - *are visually attractive as a result of good architecture and appropriate landscaping.”*
- 6.11 The scheme has been specifically designed to respect the character and appearance of the Osmotherley Conservation Area and wider street scene by identifying the public viewpoints from which the built form on the site has the capacity to influence its wider

surroundings and how the design of the structure can continue to make a positive contribution to the locality. It is highlighted that views from privately owned land is very limited and generally of small scale relative to the closer surrounding buildings. The proposal has also been designed to reflect the changing roof heights that can be seen in the locality.

- 6.12 The principal elevation of the outbuildings is not prominent on approach from the north due to being largely screened by No.8 South End. The approach along the public highway from the south does permit great appreciation of the contribution of the structures to the street scene but only when viewing the dwelling from almost immediately in front of it. The character of the structures is a simplified, ancillary and potentially agricultural appearance which is subservient to the host dwelling at no.10.
- 6.13 The design of the conversion and extension works have maintained and enhanced the character and appearance of the building and the surrounding area by introducing a set down eaves and ridgeline to the proposed structure and through the lack of the introduction of additional fenestration. This subservient approach is successfully replicated to the massing of the visible element of the rear of the property. A traditional approach has also been taken to the materials proposed for use in the conversion and extension works, with traditional pantiles used for the roof covering, and stone work to match the existing used for the exterior of the extended sections of the existing building.
- 6.14 The siting, orientation, layout of the proposed conversion and extension works preserves and enhances limited views into and out of the site that contribute to the character and quality of the environment of the core of Osmotherley. The scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with surrounding buildings. A high standard of traditional design detailing is used, which reflects that of the local vernacular. Good quality sustainable design and construction techniques are incorporated in the development including measures to minimise energy loss and where possible use energy from renewable sources. A satisfactory landscaping scheme to the rear with similar boundaries to that of the neighbouring property has been adopted and forms an integral part of the proposal. The landscape design to the front has returned to the original materials and use to provide the appropriate setting for the Listed buildings whilst taking account of the safety, security and access needs and providing car parking provision in line with the standards adopted by the Authority. Consequently the scheme is able to satisfy the criteria of Development Policy 3.
- 6.15 Good design ensures that future built form is compatible with its surroundings in terms of the amenities of occupiers of neighbouring property. The curtilage to No 8 is set approximately 1m lower than that of 10 South End, and the finished floor levels to the buildings nearest to the western boundary of the curtilage to No.10. This difference increases further as it reaches the Highway. The floor level to No 12 is slightly higher



than that of the existing dwelling at No 10, whilst the adjoining outbuildings to No 10 are set slightly lower than No 10, varying between 0.4 to 0.7m.

- 6.16 The increase in the ridge height of the western elevation, above its current height at the eaves of the cart house, has taken into account the position, height and size of the extension in regard to daylight orientation, overall height, and the position of the primary curtilage area to No.8, to ensure no harm to the enjoyment of the occupiers, nor is it considered to introduce an overbearing effect. It should be noted that even the original 1999 application for planning permission, proposing a larger extension, was not refused on neighbour amenity grounds. In respect of No 12, the minor extension to the existing kitchen extension sits some 1.5m back from the building line of the existing 3m high extension to the neighbouring property and as such does not impinge on the enjoyment of No 12 with reference to position, height or daylight orientation.
- 6.17 In respect of fenestration, the whole design has been based on minimising additional intervention in the way of glazing impacting on the character of the visible elevations or roofs of the proposed dwelling especially to the north and west of the site. Narrow ventilation slots already exist in the western elevation but due to the overall thickness of the wall in which they are set, are unable to overlook the garden to No 8, but have a view only of the sky and tree and roof tops. In addition, they are set well above floor level. The same applies to the additional slots on that elevation, introduced to allow an element of daylight without impinging on the privacy of the neighbours. This has meant that the main focus for view and for maximising daylight without being able to be seen from public viewpoint, is on the ground floor of the southern elevation. This glazing has been maximised in the single story extensions allowing internal rooms to borrow light and views through internal glazing. Although not visible from any public viewpoint, nor overlooking any neighbours, the design has nevertheless adopted similar vertical rectangular proportions for both the overall frames and glazing to traditional Georgian style windows as seen elsewhere in the village. A distant view of the top floor of the set back two storey, southern elevation, some 1/5 Mile away, can be seen from the bottom corner of Colgate Lane. There is only one existing but filled in opening. It is proposed that two further window openings are added, giving three in total, but as individual windows separated by masonry in the traditional manner.

### Transport and Accessibility

- 6.18 NPPF Paragraph 32 highlights that developments should only be refused on highways grounds where the impact is considered to be severe:
- “Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*
- 6.19 The proposed development relates to a sustainable location, benefitting from good accessibility to local services by sustainable modes of transport and would have a

minimal impact on the highway network. As a result, no mitigation measures are required.

- 6.20 At the local level, Core Policy M states that through strong and effective partnerships the Park Authority will work to improve accessibility to services and facilities within and beyond the National Park for all users and to encourage more sustainable patterns of travel.
- 6.21 The proposed dwelling would be served by the existing vehicular access immediately linking to the public highway to the north east. The driveway in the private ownership of the applicant, currently accommodates two plus vehicles - not taking account of accommodation for one vehicle within the proposed integral garage (it should be noted that the access to the cart house-proposed integral garage, is not of sufficient width to be used for modern vehicles and is entirely blocked for use by an acrow prop which currently supports the structural stability of the existing roof).
- 6.22 Vehicular accommodation for the existing dwelling would be relocated to the frontage of the existing dwelling as has occurred previously, providing access and parking for two vehicles. The neighbouring building to the west, No 8, built half a century or so after No 10 has an existing double garage for their parking located within the area adjoining and to the west of their dwelling whilst the neighbouring building to the east, No.12, became a domestic dwelling much later, and park on hardstanding adjacent to their own property but at an angle right across the front of the elevation to No.10. This parking obstructs the view of the eastern end of No 10's front elevation from the street and also obstructs the view of parking proposed on the original hardstanding area. However it neither blocks nor is blocked in by the parking proposed. There is little parking on most of this area during the daytime or normal working hours as it is only early morning and late evening when cars are parked up during the week.
- 6.23 The minimum visibility splays from the existing – proposed access along the public highway are acceptable in either direction and do not cause an adverse impact on highway safety. When reversing out of the drive access, there are clear sightlines before embarking on the highway, allowing views in either direction. The traffic on this road is intermittent meaning there is little problem in accessing the highway. However, South End becomes the equivalent of a single track road south of the Market Cross, due to residential parking on the north eastern side of the road. Any farming and delivery vehicles or indeed cars, seeking to go in both directions at the same time, can result in an impasse requiring vehicles to back up towards the Market Cross if they have not looked ahead to see oncoming traffic. The frontage and highway access to Nos 10 to 16, offer little solution to this problem as it is not only on the wrong side of the road from that required but is also at a height of just under 1m above the road at the approach to the point at which blockage begins to occur. However, this is not a constant issue as the local residents know enough to be aware before commencing on their way, it is predominantly visitors who are not sufficiently familiar with the traffic who get caught up and then have to reverse to a point where vehicles can pass each other which

mostly occurs outside Nos 27 to 31 South End where no on-street parking is allowed on the north eastern side of the Highway. This has considerably alleviated the problem.

- 6.24 The development proposals therefore comply with the guidance identified within paragraphs 32 and 35 of the NPPF and also Core Policy M of the local planning policy.

### Flood Risk and Drainage

- 6.25 Paragraph 101 of the NPPF aims to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk of flooding. The importance of flood risk assessments is highlighted and states that development should be encouraged in areas of low flood risk.
- 6.26 The application site is located in Flood Zone 1 where land is assessed as having a less than 1 in 1000 annual probability of river or sea flooding (low probability). The site has been assessed as being at low risk from other forms of flooding.
- 6.27 Foul drainage from the site will connect to the existing mains sewer as currently, with any required maintenance or replacement to existing runs addressed, whilst surface water will be drained in accordance with the Environment Agency's drainage hierarchy, with full consideration given to the implementation of sustainable urban drainage systems.

### Sustainability

- 6.28 As previously identified, the NPPF identifies the three dimensions to sustainable development as being economic, social and environmental. These are considered in turn, whilst recognising that these roles are mutually dependent and should not be considered in isolation.

### Economic Role

- 6.29 The NPPF explains that the government is committed to securing economic growth in order to create jobs and prosperity and is committed to ensuring that planning does everything it can to support sustainable economic growth. In recognition of this objective, significant weight should be placed on the need to support economic growth through the planning system.
- 6.30 The proposed development comprising one dwelling, would bring about direct and indirect benefits to the local economy through construction, employment, increased tax revenue and support to local community facilities. It also has the possibility of attracting individuals to the North York Moors without damaging the fabric of the village. As such the proposed development is wholly consistent with the Framework's guidance in promoting sustainable economic growth.

- 6.31 Local businesses will also benefit from trade linkages established through the construction of the dwelling, meaning that a large proportion of the indirect jobs would be supported locally from suppliers of construction materials and equipment.
- 6.32 The development will deliver economic gains through the Government's New Homes Bonus incentive and annual Council Tax payments. At a time when local authorities' budgets are being reduced, these areas of financial gain can provide beneficial ways in which local authorities can continue to support their communities. The development will deliver economic benefits to local economy through increased spend and will meet the Government's economic objectives of sustainable development. In doing so the proposals will also comply with the North York Moors Core Policy A.

### Social Role

- 6.33 The dwelling proposed would contribute to supporting a strong, vibrant and healthy community insofar as it would provide a property to sustain the viability of the community facilities within Osmotherley. Additionally the well-designed dwelling would maintain and enhance the visual amenity of the approach (particularly from the south) of the Conservation Area and consequently would assist in creating a high quality built environment, accessible to local services, and which would support the health, social and cultural well-being of the community.

### Environmental Role

- 6.34 The proposed development would ensure that the future of this character area within the Conservation Area is safeguarded through the good design of an energy conscious dwelling, and the sympathetic hard and soft landscaping proposed. The development would ensure that the outbuildings, which are by association Listed as a heritage asset, have a viable and sustainable use which would attract the investment required to ensure their retention into the future.
- 6.35 The relevant footnote (9) to Paragraph 14 of the NPPF gives a number of examples of policies within the framework which may indicate that development should be restricted. Having regard to this footnote it should be noted that the site is not located within any national or regional designated environmental protection areas and is not at risk of flooding. In addition, no harm would be caused to features of historic, archaeological or ecological interest as is set out in section 6 as the scheme is considered to have an overall positive impact upon the settings of the listed buildings on South End and the wider Osmotherley Conservation Area with an overall neutral effect on the significance of the listed building as set out in the heritage statement and as such, fulfils the heritage criterion of 'sustainable development' defined in the NPPF (CLG 2012, 31-32).

- 6.36 The respect that the overall high quality design of the dwelling on site would pay to the locality and how the site functions in the wider landscape area would serve to positively protect and enhance the natural, built and historic environment for the future.

### Conclusion

- 6.37 The proposal would deliver economic gains through a number of sources, including construction based employment, New Homes Bonus and increases in local spending, although not necessarily all to the benefit of the immediate locality. Development of a site so close to a range of services whilst protecting the importance and safeguarding the future of the Osmotherley Conservation Area would comprise the most significant social and environmental benefit. The proposed development would promote the efficient use of land, whilst bringing about an increased awareness to maintaining the positive visual contribution of the site, and at the same time bringing about improved bio-diversity on site through new and replacement landscaping.
- 6.38 Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration of some substance.
- 6.39 In terms of the overall planning balance, the social, economic and environmental benefits of the proposed scheme are notable and sufficient to outweigh any perceived adverse impact. The proposed development would comply with the development plan in all relevant aspects, and with the policies of the NPPF taken as a whole. In light of the above, the proposed development is considered to be sustainable development.

## 7.0 Affordable Housing

- 7.1 The adopted Core Strategy sets out at Core Policy J how a mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing.
- 7.2 Core Policy J requires that on larger sites more than 0.1 hectares or where 2 or more residential units are proposed, at least 50% of the resulting units must be affordable including conversion schemes.
- 7.3 As the proposed development would comprise one dwelling there is no requirement to make a contribution to affordable housing provision either on site or elsewhere within the North York Moors National Park Planning Area.

## 8.0 Previous Reasons for Refusal

8.1 Following the above policy analysis it is important to summarise exactly how each previous reason for refusal has now been adequately overcome:

- 1. The proposed development with particular regard to the significant alterations to the existing outbuildings would detract from the character and proportions of the buildings to the detriment of the appearance of the Osmotherley Conservation Area. The proposal is as such considered to be contrary to policy BC2 of the North York Moors Local Plan which states that National Park Committee will seek to retain all buildings and features which make a significant contribution to the character of the area. It is further considered that the detailed alterations do not enhance the character of the building and the proposal is therefore in conflict with the above policy which states that where new development in Conservation Areas is permitted it should enhance the character of the area by virtue of its high standard of design.*

### Response

The extent of alteration to the outbuildings has been significantly scaled back in contrast to the 1999 application. Specific changes to the proportions of the building relate to the stepped down main ridge, and reduction in the projection of the structure to the rear at single and two storey level. An appraisal of the visibility from public viewpoints in the Osmotherley Conservation Area has identified only two areas where the rear of 10 South End and its outbuildings are afforded limited views. It is therefore questionable how all of the building can be considered to make a significant contribution to the character and appearance of the Conservation Area. Notwithstanding this, and having regard to the principal elevation which contributes the highest level of visual amenity to the locality, it is considered that the proposal enhances the character and appearance of the Conservation Area. The heritage statement concurs with the above.

- 2. The proposed development by reason of the extent of the alterations and extensions together with the unsatisfactory nature of the proposed detailed design is considered to be contrary to policy BC7 of the North York Moors Local Plan which states that the National Park Committee will only grant permission for alterations and extensions to listed buildings where it can be shown that these would not have an adverse effect upon their character and fabric.*

### Response

The changes summarised above permit the building to protect the character and fabric of the main Listed dwelling at 10 South End. The size, overall design and appearance of the alterations serves to protect the significance of the heritage asset and does not undermine its architectural merit. The Heritage statement concurs with this view that

there is an overall neutral effect on the significance of the listed building as set out in the heritage statement and as such, fulfils the heritage criterion of 'sustainable development' defined in NPPF (CLG 2012, 31-32).

- 3. The proposals by reason of their scale, design and rear extension would detrimentally affect the setting of the main house which is a listed building and detract from its character and appearance to an unacceptable degree. The application is therefore considered to be contrary to policy BC8 of the North York Moors Local Plan which states that high standards will be sought to ensure that new developments adjacent to a listed building are sympathetic in terms of siting, scale, design, materials and detailing.*

#### Response

The setting of the Listed Building is not widely visible, indeed the visibility of its setting is identical to its appreciation from public viewpoints in the Osmotherley Conservation Area. The reduction in the scale and height of the western gable and single and two storey projections have significantly improved the subservient relationship between the extended and altered outbuildings and the adjoining main dwelling. The elevation drawings effectively demonstrate the limited extension introduced to provide for a future viable use of the outbuildings for the proposed dwelling. The siting, scale, design, materials and detailing of the works are to a high standard which safeguards the character and appearance of the Listed Building. The heritage statement concurs with this view that it is considered that the proposed development will result in an overall positive impact upon the settings of the listed buildings on South End and the wider Osmotherley Conservation Area with an overall neutral effect on the significance of the listed building as set out in the heritage statement and as such, fulfils the heritage criterion of 'sustainable development' defined in NPPF (CLG 2012, 31-32).

- 4. The local planning authority consider that the existing outbuildings serve a useful function for the incidental storage, accommodation or garage reasonably required for the domestic purposes of Number 10 South End. The loss of this facility may lead to a requirement for additional replacement storage buildings and extensions to the dwelling to compensate for the loss of the outbuildings to the detriment of the character and appearance of the Conservation Area.*

#### Response

The existing outbuildings serve no useful function for 10 South End nor have done for at least the last 40 years. The main dwelling is of sufficient overall size so as not to require the storage space which the outbuildings could offer. In any event, they are in a sub-standard state of repair and would not provide suitable accommodation for domestic effects. The width of the existing cart house doors, and the position of an



acrow prop mid-way across the entrance to the double doors to the cart house means that this structure cannot currently be used to house vehicles. As a result the loss of this facility does not lead to the requirement for the construction of replacement storage buildings for either the existing or proposed dwelling, and there would as a result be no detrimental impact on the character of the Conservation Area.

5. *The local planning authority considers that the creation of an additional dwelling will result in an increase in vehicles being parked in the front garden areas of the existing and proposed dwelling. It is considered that this will unacceptably detract from the existing character and appearance of this area of the Osmotherley Conservation Area.*

### Response

The boundary of the land and drive in front of No 10 down to the Highway is within the ownership of the applicant. The owner's vehicles can currently park in an unrestricted fashion on the access track between the public highway and the cart house entrance. Additionally the owner's vehicles can park on the grassed area in front of the existing dwelling without the need for planning permission. Underneath the portion of grass nearest to the existing dwelling, hardstanding including cobbles and flags, together with an asphalt path area exists with the former broadly in the position of the proposed parking for the existing property. Two small triangles of grass were previously in place fronting the cobbles. No planning permission would be required for the unearthing of the existing surface which is in situ although maintenance would be required.

The grassed frontage maintained by the owner is acknowledged as making a positive contribution to the visual amenity of the street scene. Consequently respect has been paid to this landscape feature in the design of the parking for the existing property by retaining an equivalent extent of grass to that originally in place. The existing boundary demarcation of Yorkshire stone will remain with paved tracks as opposed to the previous asphalt path, interspersed with grass to avoid an expansive paved areas when vehicles are not in situ which is common for most working hours. A large portion of the western most grassed area is to be retained. In respect of neighbours, the parking to No 8 is provided on their own land through a double garage adjacent and to the west of No 8 whilst parking for two cars for No 12 is provided to the front of No 12 diagonally across No 10, obstructing the direct view of the eastern side of the street facing façade of No 10 and additionally, the view of the majority of the parking proposed. This is without blocking or being blocked by the proposed parking.

Given that vehicles can currently park on the grassed area without the need for planning permission and that the scheme proposes the retention of the original extent of the grass landscaping feature, it is not considered that the parking to the existing dwelling would unacceptably detract from the character and appearance of the Conservation Area. There would be no change in the extent of vehicle parking which would occur on the existing access track and therefore the presence of vehicles in the street scene

would not alter as a result of this development and no change to the appreciation of the character and appearance of the frontage of the proposed dwelling would be considered to occur.

6. *The development, if approved, would be likely to give rise to the parking of vehicles within the highway both through the loss of existing parking space for adjacent premises and also by the generation of additional vehicles associated with the development.*

#### Response

The development would not give rise to the parking of vehicles within the highway. There is sufficient space for on-site vehicle accommodation as is required for the size of dwellings which each parking area would serve. There is no loss of existing parking space for adjacent premises and so no impact on a rise to the parking of vehicles within the Highway.

## 9.0 Conclusion

9.1 The key conclusions arising from this planning statement, in regards to the assessment of the development proposals are summarised below:

(a) This statement has shown that the development proposals do not conflict with specific policies within the NPPF that indicate development should be restricted.

(b) The proposals are able to comply with the specific criteria of the relevant local planning policy that the North York Moors National Park Authority has adopted;

(c) The proposals would not result in significant adverse impacts that would otherwise outweigh the benefits of granting planning permission for the proposed development and would satisfy the first test of paragraph 14 of the NPPF.

(d) The proposals are sustainable, accessible and capable of being accommodated without significant risk to highway safety and without flood risk or significant adverse drainage effects.

(e) The proposals are designed to achieve an energy conscious, quality living environment ensuring the privacy and safety of existing and future residents.

(f) The development would bring notable economic benefits to the area.

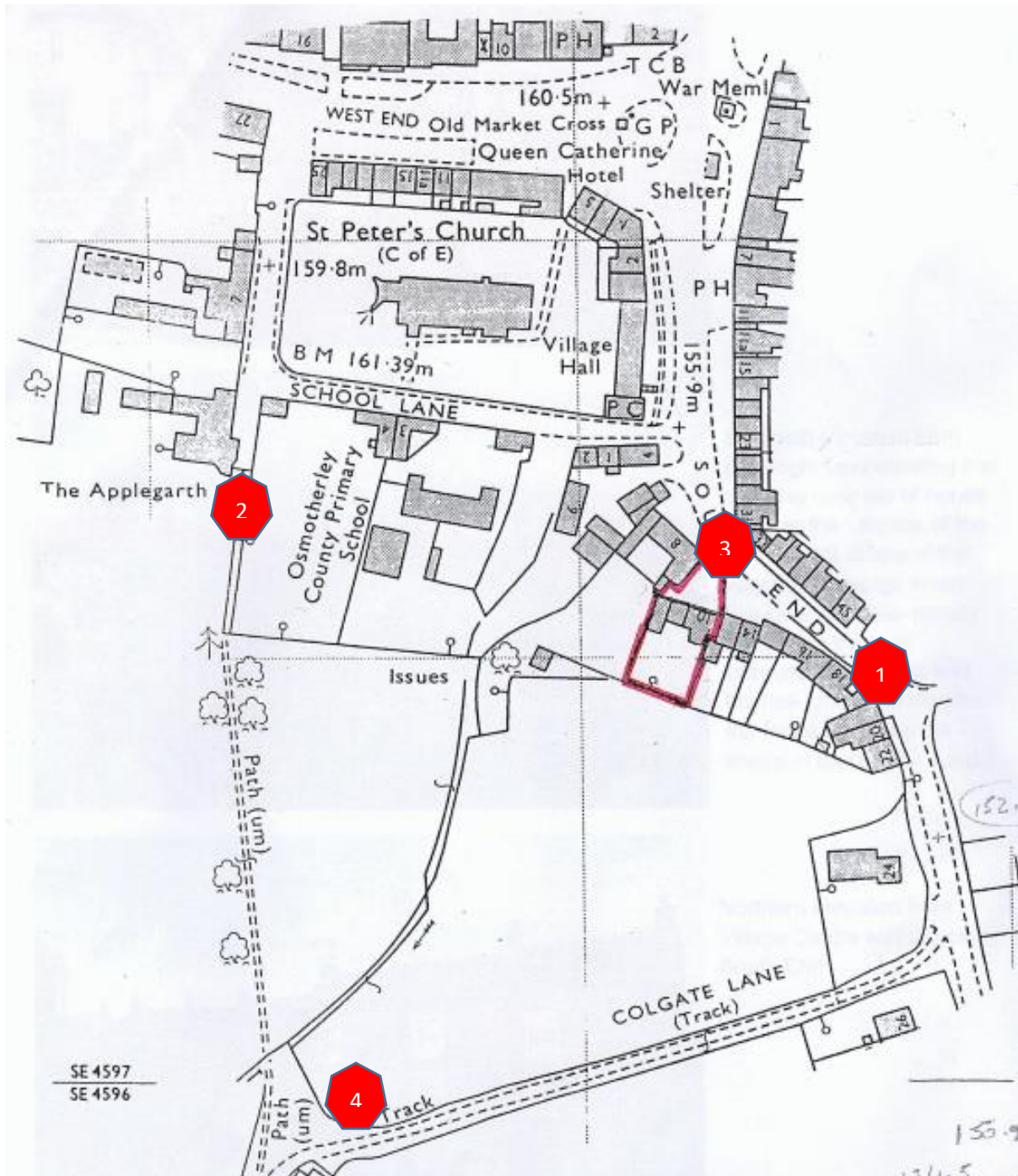
(g) The development crucially would identify, maintain and enhance the whole of the Conservation Area from which the site can be seen and would not erode the visual amenity of the street scene surrounding the application site.

(i) The overall design of the scheme has ably addressed the previous reasons for refusal of the 1999 scheme.

9.2 For the above reasons we respectfully request that the detailed application for planning permission be granted.

## Appendix 1 – Photographs from Public Viewpoints Surrounding the Application Site

Area Map:



Photograph 1 – Looking North-West Along South End:



Photograph 2 – Looking East from the North-South Public Right of Way



Photograph 3 – Looking South-West to the Principal Elevation of 10 South End



Photograph 4 – Looking North-East from Colgate Lane



