

Planning, Design and Access Statement

Erection of a New Dwelling and Conversion of a Redundant Barn Following Demolition of Existing Dwelling with Associated Works and Infrastructure



Middleton Lodge
Warter Road
Middleton On the Wolds
YO25 9DA

Mr J Walker

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Gemma Owston Associates Ltd.
Fold Yard Offices
Molescroft Grange
Grange Way
Beverley
East Yorkshire
HU17 9FS

gemma@owstonassociates.com
www.owstonassociates.com

Owston
ASSOCIATES

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1. Introduction

- 1.1. This Planning, Design and Access Statement is submitted to support a full planning application for the conversion of agricultural buildings to form a single dwelling and the erection of a replacement single dwelling at Middleton Lodge, Warter Road, Middleton on the Wolds.
- 1.2. The planning application is made on behalf of Mr J Walker.
- 1.3. The site boundary is identified below in Image 1.

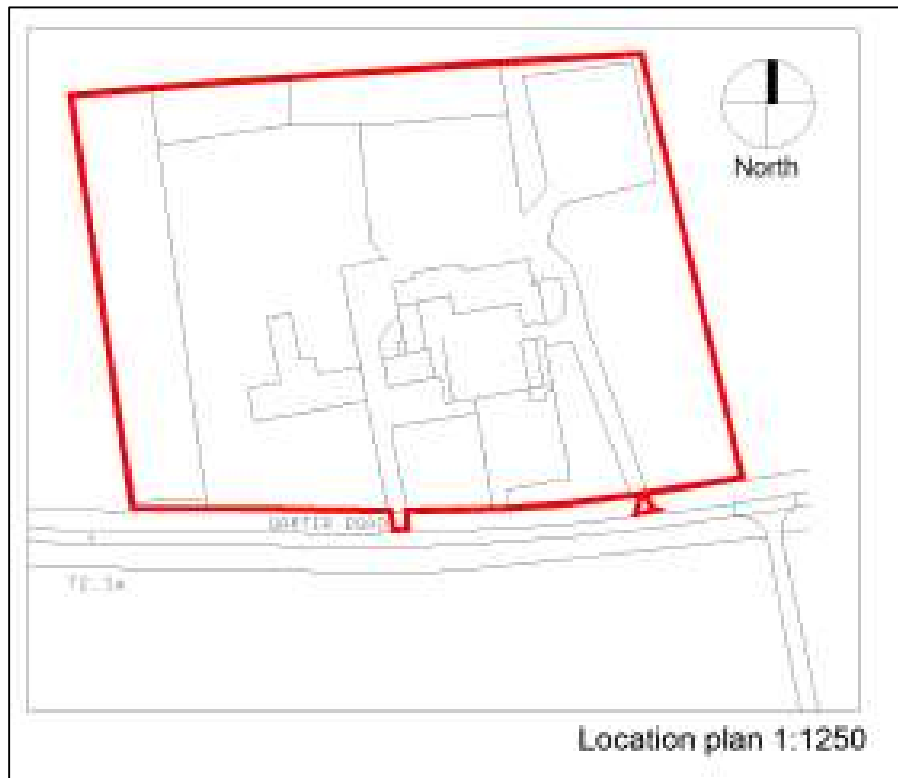


Image 1: Location plan showing application site boundary.

2. Description of Site and Proposed Development

- 2.1. The site is situated approximately 1.8 km to the west of Middleton on the Wolds. The site is in open countryside (see Image 2 below). The site is located at approximate grid reference SE 92578 49578.



Image 2: Aerial View of application Site

- 2.2. The application site comprises an existing dwelling, garaging, barns, and residential amenity land.
- 2.3. The site is well enclosed and bounded all sides by hedgerow and fencing. To western boundary is an existing 2m high hedge with trees; to the east, there is a 2m high hedge; to the north is an existing 1m high metal fence and trees/hedge boundary; to the south is an existing 1m high metal fence and 2m high hedge boundary. All boundaries will remain unchanged for this proposal.
- 2.4. Agricultural fields surround the site. There are no neighbouring properties. The nearest dwelling lies over 130 metres to the east of the site.

- 2.5. The proposal comprises the conversion and renovation of existing agricultural buildings to 1 no. dwelling and the erection of a replacement single dwelling, together with associated works and infrastructure.
- 2.6. The replacement dwelling accommodation comprises kitchen/day sitting/dining room with a snug, workspace and living/TV room, entrance lobby, utility room and WC on the ground floor. The first-floor arrangement comprises 4 no. bedrooms with dressing areas, ensuite to two bedrooms and family bathroom.
- 2.7. The proposed barn conversion comprises family room (day sitting/dining/kitchen), living room, office, possible bedroom 5, utility and WC on the ground floor with 4 bedrooms and family bathroom on the first floor.
- 2.8. The detailed layouts are shown on the accompanying drawings (Ref: 2011-525 (01-07)).
- 2.9. Neither the dwellings nor the agricultural buildings are listed, and the site does not lie within the Conservation Area.

3. Planning History

- 3.1. Based on information available on East Riding of Yorkshire Council's Public Access website, a planning history search of the application site has been carried out. The following application is the only known planning history relevant to this site:
 - **15/00476/AGRNOT** | Change of use of 2no. agricultural buildings to form 2no. dwelling houses | Middleton Lodge Warter Road Middleton On The Wolds East Riding of Yorkshire YO25 9DA | Application Approved 29 October 2015

4. Planning Policy

- 4.1. Applications are to be determined in accordance with the policies in the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states, 'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.' This is recognised in Paragraph 11 of the National Planning Policy Framework (NPPF), with Paragraph 12 stating that the Framework 'does not change the statutory status of the development plan as the starting point for decision making'.

National Planning Policy Framework (NPPF) (2019)

- 4.2. The National Planning Policy Framework ('NPPF') published in February 2019, sets out the Government's planning policies for England and advises how these are expected to be applied. It sets out the national requirements for the planning system, but only to the extent that it is relevant, proportionate, and necessary to do so. Paragraph 38 of The National Planning Policy Framework is of key importance with reference to the consideration of planning applications and states:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

- 4.3. Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 47). Decisions should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

- 4.4. The relevant sections of the NPPF are:

Section 2. Achieving Sustainable Development
Section 4. Decision-making
Section 5. Delivering a Sufficient Supply of Homes
Section 8. Promoting healthy and safe communities
Section 11. Making effective use of land
Section 12. Achieving well-designed places

- 4.5. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development is summarised to mean *"meeting the needs of the present without compromising the ability of future generations to meet their own needs"*

- 4.6. Paragraph 14 confirms that the presumption in favour of sustainable development is at the heart of the NPPF. With reference to decision-taking, paragraph 11 advises:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.”

4.7. Paragraph 38 of the NPPF states that:

‘Local planning authorities should approach decisions on proposed developments in a positive and creative way. They should use the full range of planning tools available....and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible’

4.8. Paragraphs 73 -75 relate to the issue of maintaining housing supply and delivery. The paragraphs advise of the requirements of local planning authorities to maintain a minimum of a 5-year housing supply against their housing requirement set out in adopted strategic policies. The supply of sites should also include a buffer to accommodate any historic undersupply of housing. Figures should also be regularly monitored to maintain the supply of housing and ensure it remains above the 5-year threshold.

4.9. Paragraph 106 recognises parking standards for developments should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. Paragraph 109, refers to the consideration of traffic impact arising from new development, advising that *“development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe”*.

4.10. Paragraph 118 recognises that planning policies should give weight to several criteria including promoting the development of under-utilised land and buildings to help meet needs for housing where land supply is constrained, and available sites could be used more effectively.

4.11. Paragraph 122 states that decisions should also support proposals that consider a series of criteria including identified needs of housing types, local market conditions and well-designed attractive and healthy places.

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- 4.12. Paragraph 155 recognises inappropriate development in flood risk areas should be avoided by directing development away from high-risk areas.
- 4.13. The NPPF states that ‘The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.’ (paragraph 2)
- 4.14. In this case, the Development Plan comprises the East Riding Local Plan Strategy Document (ERLP) adopted in April 2016 and the Allocations Document that was adopted in July 2016. This is the set of documents used to determine planning applications. The relevant parts of the Strategy Document which forms part of the East Riding Local Plan are addressed below.

East Riding Local Plan (ERLP) (2016)

4.15. The relevant policies are as follows:

- **Policy A3 – Driffield and Wolds Sub-Area** - sets out how growth will be delivered in the sub-area.
- **Policy S1 – Sustainable Development** - This Policy reflects the requirements of the NPPF to take a positive approach to sustainable development.
- **Policy S4 – Supporting development in villages and the countryside** – recognises the importance of a working, living and attractive countryside.
- **Policy H4 – Making the most efficient use of land** - seeks to secure optimum density levels, depending on local circumstances, to make the most efficient use of land.
- **Policy ENV1 – Integrating high-quality design** - seeks to achieve a high-quality design, safeguarding and reflecting the distinctiveness of the local area, while seeking to reduce carbon emissions and make prudent and efficient use of natural resources.
- **Policy ENV2 – Promoting a high-quality landscape** – seeks to ensure that development proposals are sensitively integrated into the existing landscape setting
- **Policy ENV4 – Conserving and enhancing biodiversity and geodiversity** – seeks to ensure that biodiversity and geodiversity are conserved and enhanced in the East Riding.
- **Policy ENV6 – Managing environmental hazards** – seeks to manage environmental hazards including flood risk and groundwater pollution to ensure that development does not result in unacceptable consequences to its users, the wider community, and the environment.

Other Documents

- East Riding Local Plan 2012-2019 – Housing Land Supply Position Statement – For the period 2020/21 to 2024/25¹.
- The *East Riding Landscape Character Assessment (LCAU) (2018)*² sets out Landscape Character Types (LCTs) and sub-divides them into Landscape Character Areas (LCAs).

5. Planning Considerations

Principle of Development

- 5.1. The site lies within the countryside. Policy S4 of the ERLP relates to supporting development in villages and the countryside. The Policy provides a positive framework for bringing the building back into use. Part A of the Policy states:

“Outside of the settlements listed in Policy S3, development will be supported to help maintain the vibrancy of Villages ...and the Countryside where it:

- 1. Is of an appropriate scale to its location taking into account the need to support sustainable patterns of development;*
- 2. Encourage the re-use of previously developed land where appropriate; and*
- 3. Does not involve a significant loss of best and most versatile agricultural land.*

- 5.2. The proposed scheme put forward in the planning application submission meets with all the above requirements.

- 5.3. Part C of Policy S4 relates to development in the ‘Countryside’ outside of a development limit, as designated on the Policies Map. Criterion I relate to the conversion of buildings. The Policy states that

“Conversions for new housing will be supported where the preservation of the building would enhance the immediate setting and where it:

- i) Would represent the optimum viable use of a heritage asset or would be appropriate enabling development to secure the future of a heritage asset; or*
- ii) Would re-use a redundant or disused building without significant alteration or significant extension.*

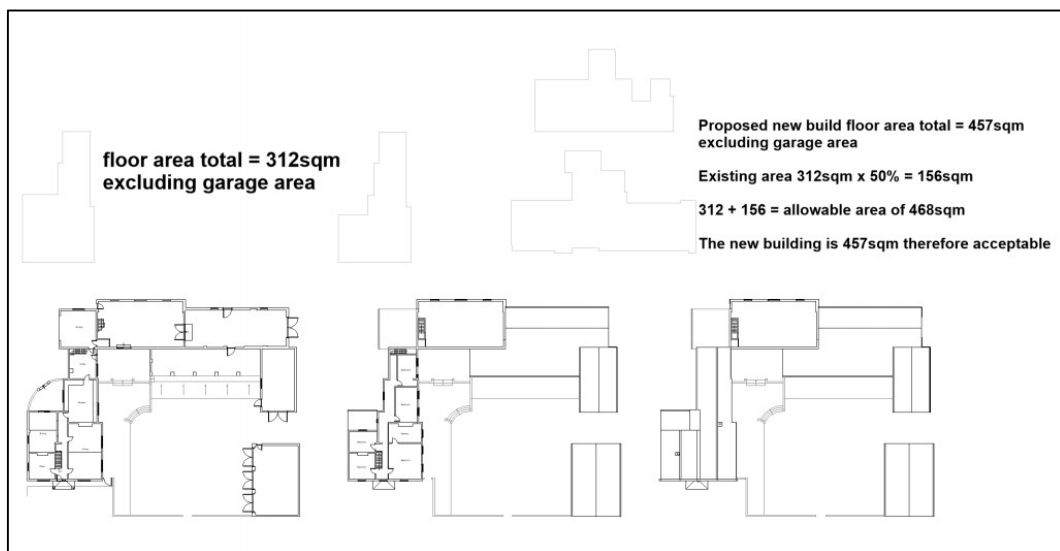
¹ <https://www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/housing-monitoring/>

² <https://www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/landscape-character-assessment/>

- 5.4. The site comprises agricultural buildings which is no longer needed. The existing buildings are capable of residential conversion. There are several existing openings suitable for windows and doors and the buildings are in a reasonable state of repair. Furthermore, under the Town and Country Planning Act 1990 (Agricultural Development, Application for Prior Approval), the agricultural buildings have permission (Reference 15/00476/AGRN0T) for change of use to form 2no. dwelling houses.
- 5.5. The existing farmhouse has no architectural merit. It has been poorly extended and clad in new brickwork with a mixture of uPVC window types. A replacement dwelling would accord with Policy S4 (sub-section C2) which permits replacement dwellings where their design and character reflects the surrounding area. A replacement dwelling is supported by both Policy S1 of the ERLP and the NPPF.
- 5.6. Paragraph 4.41 of the supporting justification for Policy S4 states:

“Replacement dwellings will be permitted in the Countryside where their design and character reflects the surrounding area and results in an increase of the usable floor area of the original building normally by no more than 50% (i.e. the original dwelling as-built or as at 1st July 1948, as defined in the General Permitted Development Order)”

- 5.7. The calculation below shows the proposal to be policy compliant:



- 5.8. The proposed development will provide 2no. high-quality dwellings. The proposal does not involve a loss of best and most versatile agricultural land.
- 5.9. The proposal will re-use agricultural buildings which are of local merit, being representative of the character of the area. As such, the proposal would accord with Policy S4.

- 5.10. Redevelopment of the site will bring about social, economic, and environmental benefits which together contribute to sustainable development as set out in the ERLP and the NPPF.

Design and Impact on the Character of the Area

- 5.11. One of the core planning principles of the NPPF is that planning should seek to secure high-quality design and a good standard of amenity for existing and future occupants of land and buildings. National planning policy recognises the role that high-quality design plays in creating sustainable places. Good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 5.12. Relevant policies in respect of design and impact on the character and appearance of the area include Policies ENV1 and ENV2.
- 5.13. Policy ENV1 relates to integrating high-quality design and respecting the character and appearance of the area. The policy sets out that development will be supported where it has regard to the specific characteristics of the site's wider context and the character of the surrounding area.
- 5.14. Policy ENV2 states that development proposals should be sensitively integrated into the surrounding landscape and ensure that important hedgerows and trees are retained unless their removal can be justified in the wider public interest in which case replacements will usually be required.
- 5.15. The NPPF in Section 12 relates to achieving well-designed places. Paragraph 127 b) states planning policies and decisions should ensure that developments "*are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.*"
- 5.16. The site of the application lies within the Yorkshire Wolds National Character Area (NCA).
- 5.17. The East Riding Landscape Character Assessment Update (LCAU) (2018)³ sets out Landscape Character Types (LCTs) and sub-divides them into Landscape Character Areas (LCAs).
- 5.18. The site lies within LCT 13 Open Farmland and LCA 13D (see an extract from the map in image 4 below)
- 5.19. The LCT is on the east-facing dip slope of the Yorkshire Wolds and covers a large area stretching from the cliffs at Flamborough in the north to the River Humber Corridor in the south. This LCT follows the crescent shape of the geology of the Wolds. This LCT is within the Yorkshire Wolds Important Landscape Area identified in the East Riding Local Plan.

³ <https://www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/landscape-character-assessment/>

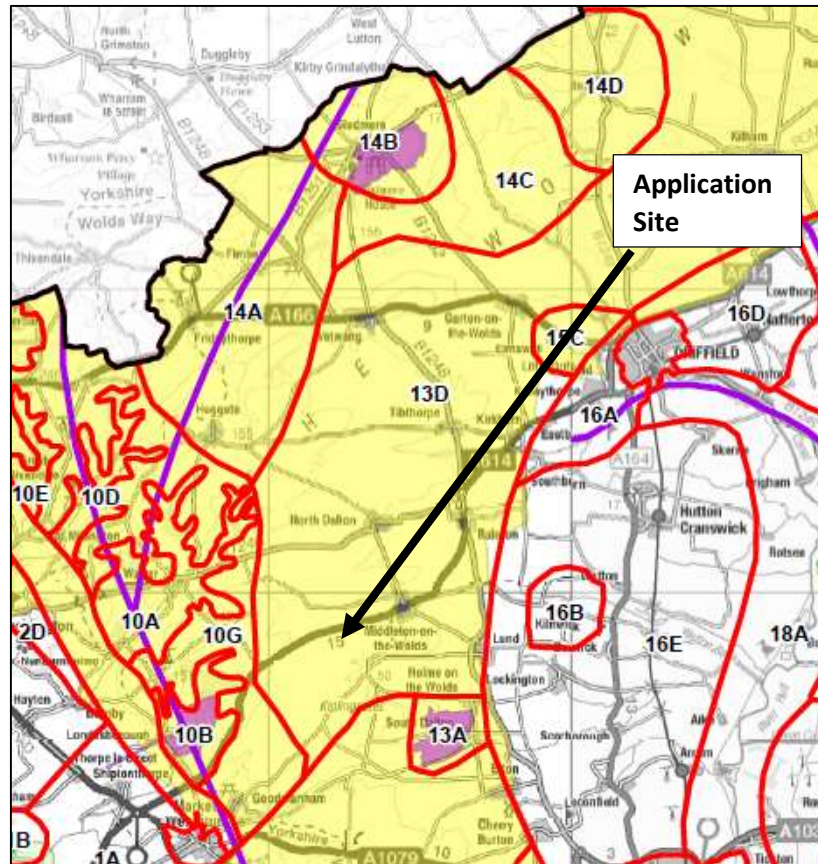


Image 3: Landscape Context (Extract)
(Source: LCAU 2018)

- 5.20. Landscape Character Area 13 encompasses the northern extent of the Wolds dip slope and extends around the north side of Driffield to Bridlington. There are several villages dispersed across this area, the nearest to the application site being Middleton on the Wolds and North Dalton.
- 5.21. There is relatively little woodland. Shelterbelts are common around farmsteads and villages. Scattered farmsteads are in elevated positions with extensive views of the surrounding land. They tend to be large scale and often include silos that are tall and distinctive on the skyline. Fields lie in a largely regular pattern across the LCA and tend to be large or very large and rectilinear.
- 5.22. The settlement within this LCT is limited to dispersed, nucleated villages and scattered farmsteads. As such, the proposal respects the integrity of the landscape, being limited to the conversion of existing agricultural buildings and a replacement dwelling within an already established farmstead.
- 5.23. The buildings to be converted are shown in the image below.



Image 4: Rear of Existing Dwelling

5.24. The existing dwelling is shown in Images 5 and 6 below.



Image 5: Rear of Existing Dwelling



Image 6: Front of Existing Dwelling

- 5.25. As can be seen in the images above, the existing farmhouse has been poorly extended and clad in new brickwork with a mixture of uPVC window types.
- 5.26. A replacement dwelling would result in a sensitive development together with the conversion of the agricultural buildings shown on the application drawings. The proposed conversion to facilitate the proposal are considered sensitive to the existing agricultural buildings.
- 5.27. The dwellings are designed to ensure that the development is appropriately scaled and formed in keeping with the site's surroundings and does not detract from the character of the area. The proposal is respectful of its agricultural surroundings and would protect the integrity of the landscape setting. All existing high hedgerow/tree boundaries are to be retained as part of this proposal.
- 5.28. External materials will be red facing brick and terracotta pantiles, with black aluminium windows and doors and black guttering and downpipes. Timber cladding will be used on the replacement dwelling and the barn conversion (see drawing references 2011-525-05 and 2011-525-07).
- 5.29. Overall, it is considered that the proposal would be an acceptable form of development in this rural location. The external appearance of the buildings would retain their character and bring forward new uses to ensure their lifespan.

- 5.30. Having regard to the above, it is considered that the proposal is acceptable and would not have a significant or detrimental impact on the character or the appearance of the area. The proposal is therefore considered acceptable in accordance with Policy 1 of the ERLP and the advice contained within the NPPF which ensures a high quality of design.

Access & Highways

- 5.31. Section 4 of the NPPF promotes sustainable transport, with paragraph 34 advising that plans and decisions should ensure that developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 5.32. Policy ENV1 of the East Riding Local Plan relates to high-quality design and requires safe access, movement, and use.
- 5.33. Policy EC4 of the ERLP Paragraph C of Local Plan (Part C) requires that:
- C. 'The number of parking spaces for all new development should reflect:*
- 1. The level of public transport accessibility;*
 - 2. The expected car usage on the site; and*
 - 3. The most efficient use of space available and promotion of good design.'*
- 5.34. The location plan shows that a separate drive access is proposed for each dwelling. These accesses already exist together with their respective gates. The proposed plans show 3no. parking spaces to serve each dwelling. The site offers space for access, off-road parking and a vehicle turning for future residents and their visitors.
- 5.35. The existing dwelling would already generate vehicle movements and the proposed scheme is not expected to generate a significant increase in vehicles movements to and from the site. Within the site, there would be adequate turning space so that vehicles can manoeuvre and enter and leave the site in a forward gear. As shown on the site layout plan, the proposed access into the site provides safe access and egress, as satisfactory visibility can be achieved in both directions.
- 5.36. It is considered that conversion and replacement of the buildings on the site as proposed would be acceptable in terms of access, highway safety, and have adequate parking and servicing provision.
- 5.37. The development would, therefore, comply with the requirements for the proposed development to be safe and accessible in terms of highway impacts as detailed within Section 9 (Promoting Sustainable Transport) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework and Policies ENV1 and EC4 of the Local Plan.

Impact on Residential Amenity

- 5.38. Relevant policies in respect of the impact of the proposal on residential amenity include Policy ENV1 of the ERLP. The NPPF (paragraph 17) requires that developments should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Good design requires that development proposals should ensure that there is no undue adverse impact from overlooking, overshadowing or from over-dominant structures.
- 5.39. The nearest dwelling lies 130 metres to the east of the site (see image below)

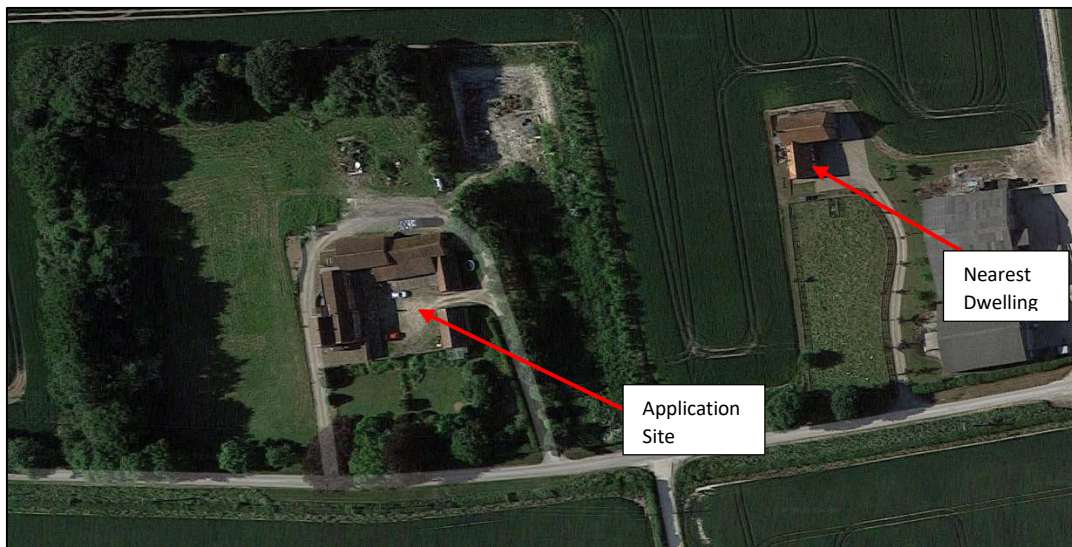


Image 7: Proximity to the nearest dwelling

Ecology

- 5.40. Policy ENV4 relates to the importance of conserving and enhancing biodiversity and geodiversity. The Policy requires that any development which would have an adverse impact on an important habitat or species should be avoided as far as possible.
- 5.41. This planning application is accompanied by a Bat Scoping Survey undertaken on the buildings proposed for the conversion, which has been prepared by Wold Ecology Ltd in November 2020.
- 5.42. The Scoping Survey results are summarised in the table below:

		Application Site Status
Bat Activity Surveys Required - Games Room Garage 2	Bats	Bat droppings were discovered in the roof void of the games room and in garage 2 during the survey and consequently, there is a risk of bats being present in the buildings at other times of year, especially during the spring to autumn months. Further emergence bat activity surveys should be undertaken between May – late August. This is to ensure bats are not roosting in the games room and garage 2 prior to building works commencing.
Bat Activity Surveys Required - Stable Garage 1	Bats	Although no signs of roosting bats were discovered in the stable and garage 1, there is a risk of bats being present in the aforementioned buildings at other times of year, especially during the summer months. Further emergence bat activity surveys should be undertaken between May – late August. This is to ensure bats are not roosting in the stable and garage 1 prior to building works commencing.
Proceed with caution, timing constraints	Birds	Birds are afforded various levels of protection and levels of conservation status on a species by species basis. The most significant general legislation for British birds lies within Part 1 of the Wildlife and Countryside Act 1981 (as amended). Under this legislation, it is an offence to, kill, injure or take any wild bird, take, damage or destroy the nest of any wild bird while that nest is in use or being built, take or destroy an egg of any wild bird. All nests should remain undisturbed and intact until after the breeding bird season – mid February to early September. Planning consent for a development does not provide a defence against prosecution under this act. Bird's nests were observed in the buildings (refer to section 8.0).
No constraints	Barn owl	There was no evidence of barn owls <i>Tyto alba</i> roosting in the buildings. No further surveys recommended.

Image 8: Scoping Survey Results

- 5.43. The results are based on a desk-top study, visual inspection and a daytime assessment survey conducted in November.
- 5.44. To prevent any potential impacts occurring to bats present, the report recommends that further activity surveys are undertaken. These are detailed in paragraphs 6.7.3 and 6.7.4 of the report.
- 5.45. Mitigation and Compensation are set out in Section 7 of the report which details the best working practices and precautions necessary if bats are found to be present.

Flood Risk

- 5.46. Policy ENV6 of the Local Plan seeks to manage environmental hazards such as flood risk, coastal change, groundwater pollution and other forms of pollution to ensure that development does not result in unacceptable consequences to its users, the wider community and the environment.
- 5.47. The National Planning Policy Framework advises that development should be located in areas where there is the lowest probability of flooding.

5.48. The application site is identified as lying within Flood Zone 1 which is the lowest risk of flooding from rivers and the sea. There is less than a 0.1% chance of flooding each year.

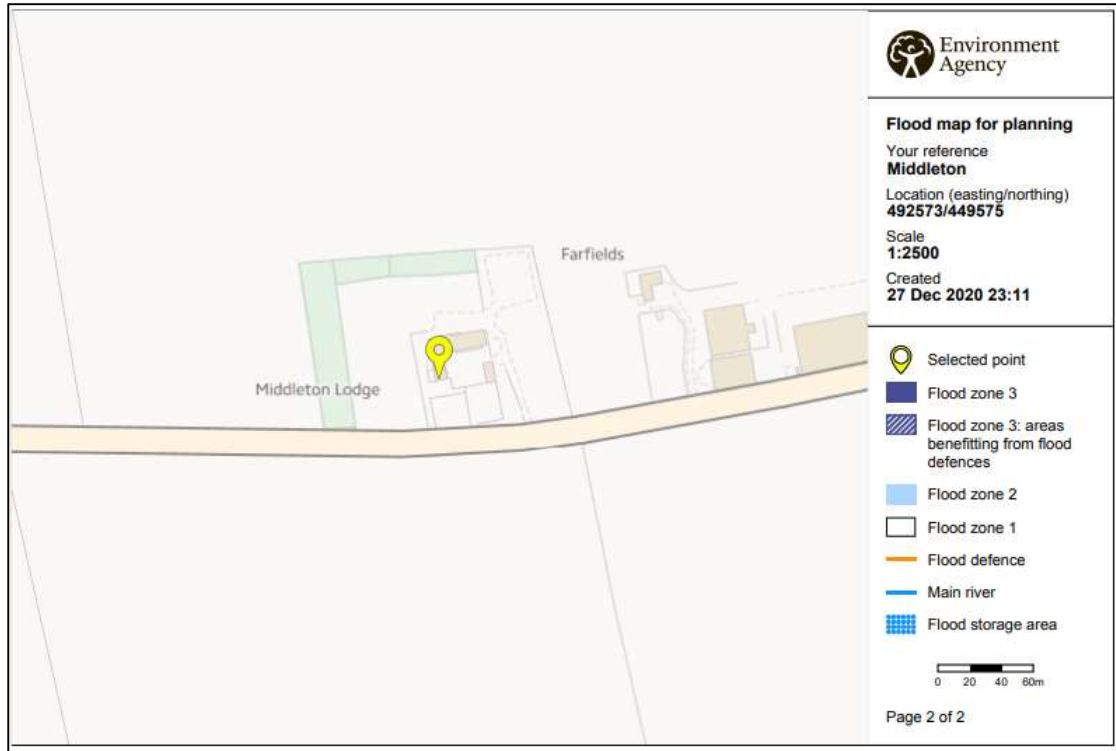


Image 9: Flood Risk (Source: Environment Agency)

Drainage

5.49. Foul drainage will go to into a Klargestep septic tank and surface water will be discharged via a soakaway.

6. Conclusion

- 6.1. The proposal would represent a sustainable form of development by providing 2 no. dwellings through one replacement and one conversion.
- 6.2. The principle of this form of small-scale development would contribute to the housing land supply and would have a positive impact on the character of the area, by supporting the re-use through sensitive design and conversion and the replacement of an existing dwelling which is of no architectural merit. It is considered that the proposed development sensitively designed and is acceptable for the location and will not detract from the character or appearance of the surrounding area.
- 6.3. The proposed scheme will not pose a risk to highway safety and other matters if acknowledge importance, including residential amenity and flood risk.
- 6.4. The requirement to deliver housing is a material consideration which should be afforded significant weight in the determination of the application. The National Planning Policy Framework requires local planning authorities to deliver a wide choice of high-quality homes. The delivery of this scheme would be of benefit in the context of the NPPFs requirement to boost the supply of housing. Whilst only the net gain of a single dwelling, the proposal would make an important contribution to the Council's supply of housing.
- 6.5. The NPPF introduces a presumption in favour of sustainable development and this is a key material consideration in planning decisions. In the absence of technical, environmental or any other issues which weigh against the development, the proposal should be considered acceptable. There are no significant adverse planning impacts which would outweigh the benefits of this proposal to justify the refusal of planning permission.
- 6.6. In respect of the provisions of both national and local planning policies and the material considerations relevant to the site, it is deemed that the site is acceptable for residential development and that this planning application should be approved.