

PLANNING STATEMENT



**Proposed Replacement Dwelling with
Associated Works and Infrastructure**

at

Melross, General Lane, Melbourne, YO42 4SZ

On Behalf of Mr K Walton

March 2022



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1.0 Introduction

- 1.1 This planning application has been submitted on behalf of Mr Walton. The site of application is on Melross, General Lane, Melbourne, YO42 4SZ. The site boundary and the site's location are shown below at Image 1.



Image 1: Site location plan

- 1.2 It is proposed to remove from the site an existing dwelling (a residential static caravan) at Melross and to erect a replacement dwelling. The application is accompanied by a full set of drawings prepared by Turton Associates.

2.0 Description of Site and Proposed Development

- 2.1 The application site is at Melross, General Lane, in open countryside outside the development limits of Melbourne, and is within the jurisdiction of the East Riding of Yorkshire Council.
- 2.2 It is proposed to remove an existing residential dwelling (a static residential caravan) at Melross and erect a replacement dwelling. The static caravan it is proposed to remove from the site is not listed and is not subject to an agricultural occupancy condition.
- 2.3 The existing mobile home is lawfully occupied as a single residential unit (its status was secured via a 2012 certificate of lawfulness application). Image 2 below is a recent photo of the caravan to be demolished.



Image 2: Photograph of caravan to be removed from site (Source: Google Maps)

- 2.4 The certificate of lawfulness referred to above (LPA Ref. 12/02040/CLE) was issued by the East Riding of Yorkshire Council on 26th April 2012. The certificate of lawfulness related to the permanent siting of the caravan and its use as a dwelling. It is our view that there is therefore a lawful residential dwelling unit on site.
- 2.5 It is proposed to demolish or remove the caravan from the site and erect a new build dwelling in its place. As the replacement dwelling will be sited on the footprint of the

caravan, it is anticipated that a section 106 agreement will not be required in this instance.

3.0 Planning History

3.1 Based on research on the council's planning portal, planning history on the site is as follows:

- Ref No: 12/02040/CLE – Certificate of lawfulness in respect of siting of a caravan and its use as a dwelling – Application Approved

4.0 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.”*

4.2 In this case, the Development Plan for the area is the East Riding of Yorkshire Local Plan adopted in 2016.

4.3 The policy of most direct relevance to this planning application is part C of Policy S4 “Supporting development in Villages and the Countryside”. It is quoted below in part:

“Outside of a development limit land will be regarded as the Countryside and the following forms of development supported, where proposals respect the intrinsic character of their surroundings: Replacement dwellings”

4.4 Paragraph 4.41 of the Local Plan Strategy Document provides some further guidance on replacement dwellings in the open countryside:

“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). In certain circumstances, a new dwelling of exceptional quality or of truly outstanding innovative design may be supported in line with national planning policy.”

4.5 Policy ENV 1 is also of relevance to this application. It states in part:

“A. All development proposals will:

1. Contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use; and

2. Seek to reduce carbon emissions and make prudent and efficient use of natural resources, particularly land, energy and water.”

4.6 The National Planning Policy Framework (NPPF) (July 2021) is a material consideration and is the Government’s overarching framework for planning policy.

4.7 The NPPF identifies those applications that should be considered in the context in favour of sustainable development (paragraph 10).

4.8 Proposals that accord with the development plan should be approved without delay and where it is silent or relevant policies are out of date, permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or specific policies within the NPPF indicate that development should be restricted (Paragraph 11).

4.9 Section 11 of the NPPF relates to making effective use of land. Planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses. While safeguarding and improving the environment and ensuring safe and healthy living conditions. This includes encouraging multiple benefits from both urban and rural land and taking opportunities to achieve net environmental gains – such as development that would enable new habitat creation or improve public access to the countryside and the development of under-utilised land and buildings.

4.10 The Government also seeks to secure high-quality design and a good standard of amenity for all existing and future occupants of buildings. Paragraph 126 places great importance on the design of the built environment, stating:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

4.11 Paragraph 130 states that:

“Planning policies and decisions should ensure that developments:

a) 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;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

5.0 Planning Considerations

Principle of Development

- 5.1 The proposal is for a proposed replacement dwelling. The site is located in open countryside. Policy S4 of the Local Plan Strategy Document is supportive of replacement dwellings in the wider open countryside. The supporting text to this policy provides criteria which must be met in order to gain full support from Policy S4. We look at each in turn below.

Policy Criterion	Assessment
Is the proposed dwelling a replacement dwelling?	Yes. The existing caravan it is proposed to demolish or remove from site constitutes a dwelling.
Does the proposed development reflect the intrinsic character of its surroundings/ Does the design and character of the proposed dwelling reflect the surrounding area?	Yes. The proposed dwelling will be in keeping with the established character of both the immediate setting and the wider countryside. It represents an enhancement to the visual amenity of the area through the removal of the caravan and its replacement with a modern dwelling.
Does the proposed replacement dwelling increase the usable floor area of the to be demolished dwelling by 50% or less?	It is within the region of 50%, the existing dwelling (the caravan) comprises around 75 sqm in usable floor area and the proposed dwelling has a usable floor area of 118 sqm.

Table 1: Policy Assessment

- 5.2 On the basis of the above assessment the principle of development is acceptable.

Design

- 5.3 The National Planning Policy Framework (NPPF) advises that in the assessment of design, consideration where appropriate should be given to layout, form, scale, detailing and materials.

5.4 The proposed replacement dwelling has been designed to a high standard by Turton Associates. The dwelling has been designed sympathetically to integrate into the character of the surrounding rural area through its siting, the choice of materials, its form and its scale.

5.5 The materials of the proposed dwelling are as follows:

- Slate roof
- PVC soffits, fascias and rainwater goods
- Face brickwork
- Partial through colour smooth faced rendered walls
- Decorative slot details to gables
- UPVC framed windows and doors
- Class B engineering bricks below dpc

5.6 The dwelling will comprise of one floor of living accommodation. Within this it includes two bedrooms (one en-suite), an open plan living room/kitchen, a bathroom, a utility room and various areas for storage. Below is the floor plan of the proposed dwelling illustrating this:



Image 3: Floor plan of proposed dwelling

5.7 Image 4 below shows the west/rear elevation of the proposed dwelling.



Image 4: Western/Rear elevation of proposed dwelling

Highways

5.8 Section 9 of the NPPF promotes sustainable transport, with paragraph 111 advising that ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

5.9 The existing dwelling already generates vehicle movements and the proposed replacement dwelling is not expected to generate any increase in vehicle movements to and from the site. The proposal incorporates adequate parking and turning for vehicles. Access to the site will be via existing access from General Lane.

5.10 The proposed development, therefore, should not have a detrimental impact on the highway network and would be acceptable from a highway point of view. The proposal would, therefore, accord with Policy EC4 of the Local Plan and advice contained within the NPPF.

Impact on Residential Amenity

5.11 The NPPF (Paragraph 130) requires that developments should always seek to secure a good standard of amenity for existing future users. Good design requires that development proposals should ensure no undue adverse impact from overlooking, overshadowing or from over-dominant structures.

- 5.12 The application site is quite remote and there is no other residential property within the vicinity of the site. This ensures there will be no overlooking, loss of light or loss of privacy due to this proposed development. The amenity of future occupants of the proposed dwelling will be markedly improved when considered against the amenity offered by the existing dwelling.
- 5.13 The proposed development would, therefore, comply with policy and guidance set out in the NPPF and the Local Plan.

Flood Risk and Drainage

- 5.14 The site is situated in Flood Risk Zone 1 (see Image 5 below). Accordingly, the application is not accompanied by a Flood Risk Assessment.

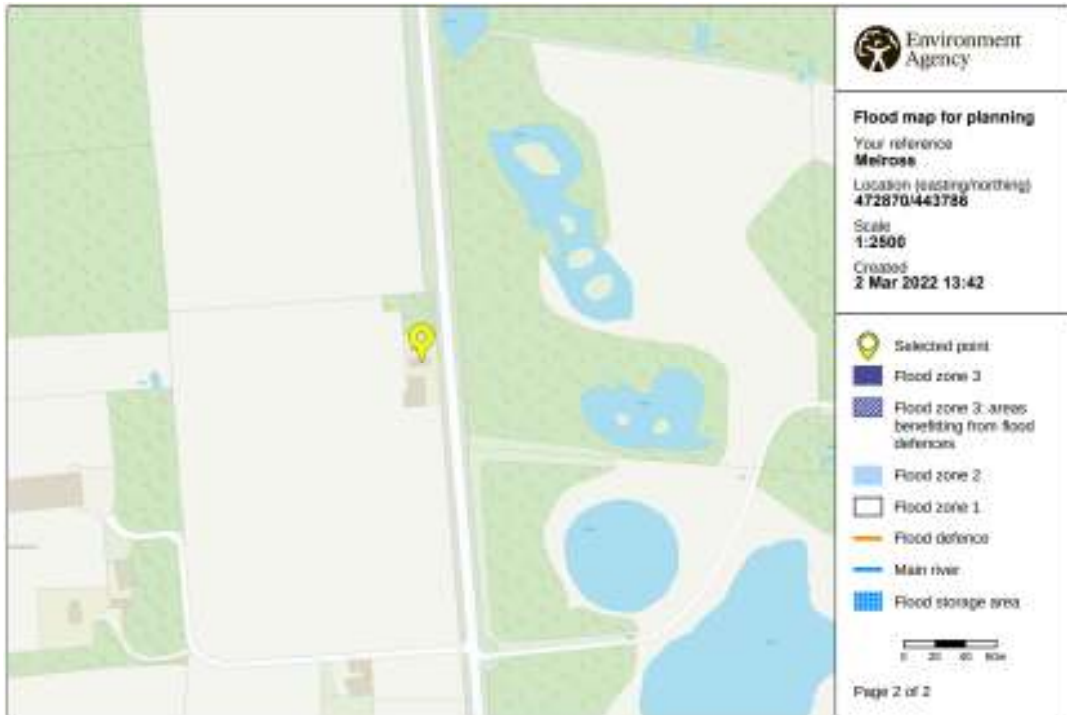


Image 5: Flood map for planning, Melross
(Source: Environment Agency)

- 5.15 Proposed foul water drainage connected to BioDisc mini sewage treatment plant. Outflow to discharge to drainage field system designed & installed in accordance with manufacturer's instructions.

- 5.16 Surface water to soakaway – Surface water soakaway constructed in accordance with BRE Digest 365 Min. 5m from proposed dwelling

6.0 Conclusion

- 6.1 The principle of development should be deemed acceptable as per policy S4 of the Local Plan. The overall appearance, size, siting, scale and design of the proposed replacement dwelling is in keeping with the character of the area.
- 6.2 The NPPF introduces a presumption in favour of sustainable development, and this is currently a key material consideration in planning decisions. There are no significant adverse planning impacts in this case that would outweigh the benefits of this proposal to justify the refusal of planning permission. The policies in the Local Plan are consistent with the planning merits of this proposal where small-scale development will be supported.
- 6.3 In summary, it has been demonstrated that there are no policies or other material considerations which would suggest that planning permission should not be granted.