

# **PLANNING STATEMENT**



**Retention of Residential Extensions to South and West Elevations,  
and Retention of Detached Garage**

**At**

**The Granary  
Old Carlton Farm  
Sandy Lane  
Stockton on the Forest  
York  
YO19 5XS**

**On Behalf of Mr & Mrs Hodgson**

**May 2023**

**Gallagher  
Planning**  
A Town and Country  
Planning Consultancy



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## 1.0 Introduction

1.1 The planning application that this report accompanies has been submitted on behalf of Mr & Mrs Hodgson who are the owners of the application site. The application site is located at The Granary, Old Carlton Farm, Sandy Lane, Stockton on the Forest, York, YO19 5XS. The site boundary is identified below in Image 1.

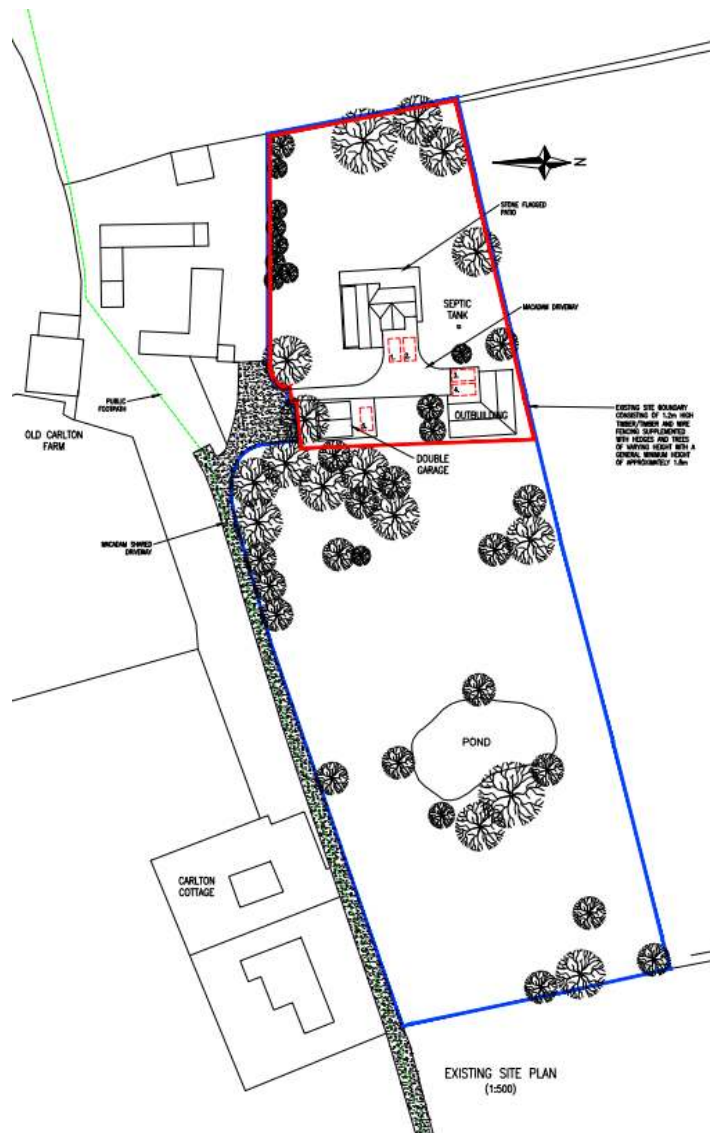


Image 1: Site location plan

1.2 This application seeks planning approval for the retention of extensions to the dwelling and the retention of a detached garage.

1.3 The application is accompanied by a full set of planning drawings prepared by Holloway Jennings.

## 2.0 Description of Site and Proposed Development

2.1 The application site is located at The Granary, Old Carlton Farm near Stockton on the Forest and is located within the jurisdiction of the City of York Council. The site is located at approximate National Grid Reference SE 67029 56618.

2.2 Image 2 below is an aerial photograph of the site and its immediate context. The site is within the York Green Belt and is surrounded by predominantly agricultural land. There are dwellings to the south and east of the site. The site benefits from extensive existing screening through trees and planting on all boundaries.



Image 2: Aerial Site Photograph and Site Context (Source: Google Earth)

2.3 The proposal is for the retention of a number of works on site which are listed below:

- Demolition of extension to south elevation and erection of extension to the south elevation of dwelling
- Demolition of conservatory and store
- First floor extension to west elevation of dwelling
- Erection of detached garage to south east of the dwelling

- 2.4 The applicants received a letter from the City of York Council dated the 17<sup>th</sup> of April 2023. This letter refers to a detached outbuilding which is not included in this application. The outbuilding is being used as a residential annex whilst construction work continues at the application site and is lived in on a temporary basis by the applicants. When construction work is complete the applicants will cease to live in the outbuilding and it will not be used as a dwelling. It will remain as an ancillary outbuilding/annex.
- 2.5 The works it is proposed to retain were carried out in the belief that the works constituted permitted development. The applicants acted in good faith and had no intention of circumventing the planning code.

### **3.0 Planning History**

3.1 Based on information obtained from the City of York Council's Public Access website, the following applications have been submitted at The Granary.

- Ref No: 07/01288/AGNOT – Erection of polytunnel – No objections from LPA
- Ref No: 21/02304/FUL – Erection of 1no. dwelling following demolition of existing dwelling – Application Withdrawn

3.2 In addition, application ref: 3/129/145D/FA which was for the change of use of 2 holiday cottages to form a dwelling was approved by Ryedale District Council in the 1990s. This application is not available on the Council's website but is of relevance as the permitted development rights of the property were not removed.

## 4.0 Planning Policy

### Local Planning Policy

4.1 Applications are to be determined in accordance with the policies in the Development Plan. In this case, the Development Plan for the area comprises the City of York Local Plan – Publication Draft 2018. The weight that can be afforded to this Draft Plan is discussed below.

4.2 The policies most relevant to this proposal are:

- Policy DP2 – Sustainable Development
- Policy SS2 – The Role of York’s Green Belt
- Policy GB1 – Development in the Green Belt
- Policy D1 – Placemaking
- Policy D11 – Extensions and Alterations to Existing Buildings
- Policy ENV4 – Flood Risk

4.3 Policy GB1: Development in the Green Belt states:

*“Within the Green Belt, planning permission for development will only be granted where:*

- i. the scale, location and design of development would not detract from the openness of the Green Belt;*
- ii. it would not conflict with the purposes of including land within the Green Belt; and*
- iii. it would not prejudice or harm those elements which contribute to the special character and setting of York.*

*AND it is for one of the following purposes:*

- agriculture and forestry; or*
- appropriate facilities for outdoor sport and outdoor recreation; or*
- cemeteries; or*



- *limited infilling in existing settlements; or*
- *limited extension, alteration or replacement of existing buildings; or*
- *limited affordable housing for proven local needs; or*
- *development of existing developed sites where this would lead to an overall improvement in the character and appearance of the Green Belt without compromising openness; or*
- *minerals extraction, provided high environmental standards are attainable; or*
- *essential engineering operations including waste disposal; or*
- *local transport infrastructure including highways work and Park & Ride facilities; or*
- *the reuse of buildings; or*
- *development brought forward under a Community Right to Build Order; or*
- *renewable energy schemes, where it can be proved that the location is necessary for technical reasons and wider environmental benefits can be demonstrated.*

*All other forms of development within the Green Belt are considered inappropriate. Very special circumstances will be required to justify instances where this presumption against development should not apply.”*

- 4.4 It is our view that limited weight, if any, can be afforded to the above policy. The Draft Local Plan is currently going through an Examination in Public. Earlier this year a proposed modification to the entirety of Policy GB1 was consulted on and as such this suggests the Local Plan Inspector feels this policy is unsound or not in compliance with national policy.
- 4.5 The suggested modifications to Policy GB1 refers to the following type of development as not being inappropriate in the Green Belt: *“extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”*

#### National Planning Policy

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

- 4.7 The NPPF identifies that applications 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.
- 4.9 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).
- 4.10 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 users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

4.12 As this site is situated within the Green Belt, the Green Belt policies within the NPPF are also relevant. Paragraph 147 states:

*“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

4.13 Paragraph 149 states:

*“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*a) buildings for agriculture and forestry;*

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”**

4.14 Due to the lack of weight that can be afforded to the Draft Local Plan’s Green Belt provisions at present, it is our view that the Framework’s Green Belt policies acquire more weighting in the development management process than would otherwise be the case.

## 5.0 Planning Considerations

### Principle of Development – Green Belt

- 5.1 The consideration of the principle of the development in this case is linked to the site's location within York's Green Belt. For the purposes of this section of the report, we intend to look at each aspect of the development separately.
- 5.2 We will begin by looking at the extensions to the dwelling. As referenced earlier in this report the applicants demolished a conservatory, a store building and an pre existing extension to the south of the dwelling. The extensions it is proposed to retain are a first floor extension to the north and the replacement extension to the south elevation.
- 5.3 The new (net) amount of floorspace created through these extensions, taking into account the demolition of the conservatory and store, is approximately 63 sqm. As mentioned above we are of the opinion that the Framework's Green Belt provisions are of direct relevance to this application given the Inspector's apparent thoughts on draft Policy GB1 from the 2018 draft Local Plan.
- 5.4 The NPPF sets out that Green Belt serves several purposes, including the purpose most relevant to York; the preservation of the setting and special character of historic towns. The first policy test that emerges therefore is the question – does this development harm the setting or character of York? The answer in our opinion is that it does not. The site is relatively remote from York's historic core and is very well screened from any public vantage point.
- 5.5 The NPPF also sets out that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (NPPF 147). It is therefore of fundamental importance to the consideration of this application to establish if the development it is proposed to retain is inappropriate. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this set out in Paragraph 149 of the NPPF include the *extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*

- 5.6 It is our view that the extensions to this dwelling it is proposed to retain are not disproportionate additions over and above the size of the original building. We reach this view due to the modest amount of floorspace created and also an assessment based on the external appearance of the building as the building works near completion. The extensions it is proposed to retain are therefore not inappropriate development and there is no requirement to demonstrate very special circumstances.
- 5.7 Although not required by national planning policy, we also consider if any harm arises to the Green Belt in terms of the impact on the openness due to the proposed retention of the extensions to the dwelling. In terms of visual impact, the site is not visible from any public vantage point. The images below are taken from a series of external vantage points.



Image 3: View of the site from land to the north



Image 4: View of site from paddock to the east



Image 5: View of site from paddock to the east

- 5.8 Whilst we acknowledge that visual impact is not the sole barometer by which to gauge impact on the openness of the Green Belt, it is of relevance. As shown in the images above, the visual impact of this development is minimal and cannot be seen from the public highway. If one adopts a birds eye approach to an assessment of impact on openness, the metaphorical bird would note that the conservatory and store have been demolished and the only other change that would potentially be noticed is that the “lean to” extension to the south now extends to the length of the building. This would not be a material impact on openness.
- 5.1 We next consider the principle of the development for the detached garage it is proposed to retain. As discussed earlier in the report, the original approval for conversion to a dwelling (3/129/145D/FA) did not remove permitted development rights for the dwelling.
- 5.2 As a result, a garage on this site could be considered as falling within permitted development rights as a domestic outbuilding. The only point of contention here lies with the positioning of the garage as it is forward of what could be considered to be the principal elevation of the dwelling. However, it would be seen as permitted development elsewhere on the site such as in the northwest corner. It is our case that it is not sustainable to require the demolition of this garage when it or a replacement can be lawfully sited elsewhere on site without the need for planning approval. The garage it is proposed to retain is also not visible from any publicly accessible external vantage point.
- 5.3 As a result of the above assessment, we believe the development it is proposed to retain to be not inappropriate in Green Belt terms, to not harm the Green Belt and accordingly the principle of the development is acceptable.

### Design

- 5.4 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. The NPPF advises that in the assessment of design, consideration where appropriate should be given to layout, form, scale, detailing and materials.

5.5 Policy D11 Extensions and Alterations to Existing Buildings states:

*“It is important to plan positively for the achievement of high quality design for all development proposals. Proposals to extend, alter or add to existing buildings will be supported where the design:*

- responds positively to its immediate architectural context and local character and history, in terms of the use of materials and detailing, scale, proportion, landscape design and the space between buildings;*
- sustains the significance of a heritage asset and/or its setting and the character and appearance of conservation areas;*
- positively contributes to the setting, wider townscape, landscape and views;*
- protects the amenity of current and neighbouring occupiers, whether residential or otherwise;*
- contributes to the function of the area and is safe and accessible; and*
- protects and incorporates trees that are desirable for retention.”*

5.6 The extensions to the dwelling have been designed to reflect the character of the dwelling and the surrounding area. This is through the use of complementary materials and the extensions being of an appropriate scale.

5.7 Image 6 below shows the extension to the south elevation which is currently under construction:



Image 6: Recent photograph of extension which is currently under construction

5.8 The detached single storey garage that has been erected is of timber effect cladding and is also of an appropriate scale to the site. The garage can be seen in image 7 below:



Image 7: Recent photograph of garage

- 5.9 As mentioned in the above section, the visual impact of this development is very minimal due to the extensive screening of the site.

#### Impact on Residential Amenity

- 5.10 The NPPF sets out that development should 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 users. Good design requires that development proposals should ensure no undue adverse impact from overlooking, overshadowing or from over-dominant structures.
- 5.11 The closest dwelling to the site is approximately 30m to the south, with two other dwellings within the vicinity of the site.

- 5.12 As mentioned numerous times previously in this report, the site benefits from extensive screening and the design of the extensions and garage are of an appropriate scale. As a result, there is no undue adverse impact from overlooking, overshadowing or from over-dominant structures. The development it is proposed to retain also enhances the residential amenity of the applicants.
- 5.13 The development would, therefore, comply with set out in the NPPF and policies from the York Draft Local Plan.

#### Flood Risk

- 5.14 Policy ENV4 of the Draft Local Plan relates to flood risk and will only permit new development where it meets the sequential approach to development in areas of flood risk and does not increase the risk of flooding elsewhere.
- 5.15 The National Planning Policy Framework advises that development should be located in areas where there is the lowest probability of flooding. The site is situated in Flood Risk Zone 1 (see Image 8 below) where flooding from rivers and the sea is very unlikely. There is less than a 0.1% chance of flooding each year.

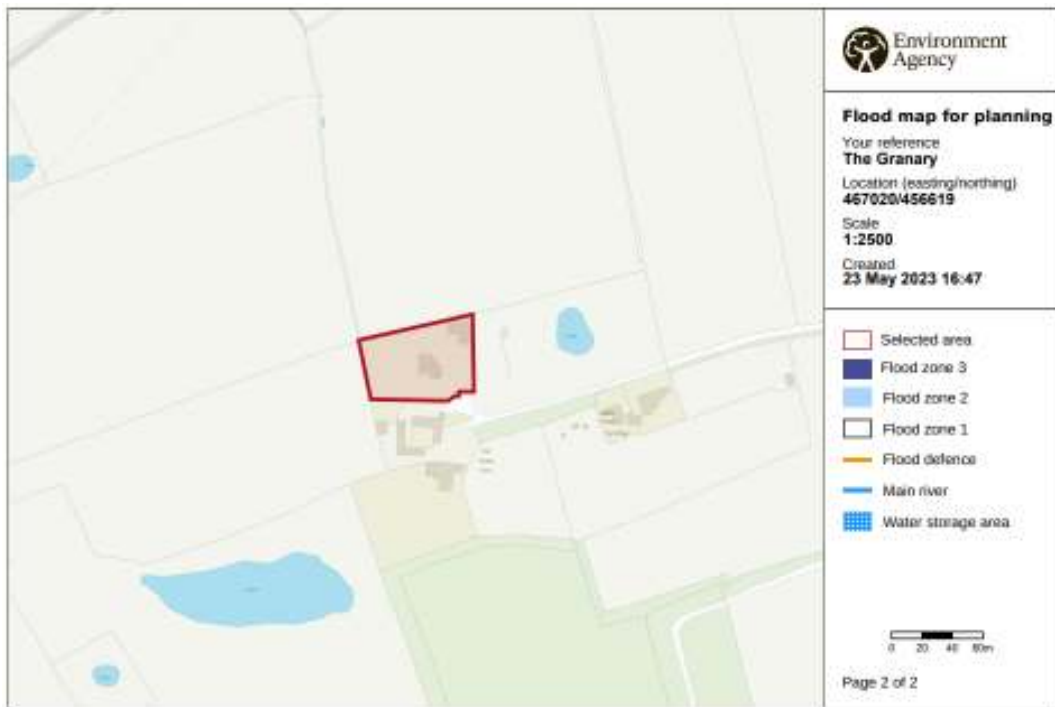


Image 8: Extract from flood map for planning  
(Source: Environment Agency)

5.16 The proposal, therefore, complies with the provisions of Draft Local Plan Policy ENV4 and guidance set out in the NPPF which states that development should be directed away from areas at highest risk from flooding.

## **6.0 Conclusion**

- 6.1 We believe we have demonstrated above that the development it is proposed to retain is acceptable in terms of Green Belt impact and is not inappropriate development.
- 6.2 The design is in keeping and of an appropriate scale to the original dwelling and the site as a whole.
- 6.3 There are no adverse impacts arising from this development in terms of other planning considerations such as residential amenity and flood risk.
- 6.4 We confirm that we represent the applicants with respect to this planning application. We will be in touch with the appointed planning officer in the coming weeks to discuss the development.