

**Committee: PLANNING**  
**Date: 10 June 2008**

**Report: REFERENCE BACK: FULL PLANNING PERMISSION FOR  
ALTERATIONS TO PLANNING PERMISSION AT 5 STATION ROAD,  
GRASSINGTON (REF: C/33/260D)**

**Purpose of the report**

1. To provide further advice on members' decision to defer consideration of the application for alterations to the planning permission at 5 Station Road, Grassington.

**Background**

2. Determination of this application was deferred at the meeting held on 13 May 2008 to enable members to visit the site to assess the overall setting of the building and its affect on the character of the area. The site visit is scheduled for 27 May 2008. Minutes of the site visit will be circulated prior to the committee meeting.

3. At the meeting of the Planning Committee held on 8 April 2008, members decided to defer consideration of the above application as they were minded to approve the application contrary to officer recommendation. A copy of the report from that meeting is attached for information.

4. The reason(s) given by members for that decision was: The nine proposed modifications to the scheme offered by the applicant will result in a building that would not be likely to cause serious harm to the character and visual amenities of the area and to important views into the Grassington Conservation Area.

5. Members also raised questions in relation to the position regarding the temporary stop notice and enforcement notice. For the purposes of clarification, the following information is provided in relation the stop notice and enforcement notice.

6. A Temporary Stop Notice was issued under delegated powers on 20 December 2007, in the interest of safeguarding amenity. The Temporary Stop Notice prevented any further work being carried out to the building for 28 days i.e., expired on 16 January 2008. There is currently no Stop Notice affecting the site.

7. At the Planning Committee on 8 January 2008 members approved the following:

*That the Authority's Solicitor be authorised to serve an Enforcement Notice to ensure that the development accords with the terms of Planning Permission C/33/260B.*

*That a compliance period of 6 months be given.*

*If the Head of Planning (in consultation with the Solicitor) is satisfied that further work on site other than in accordance with the terms of the planning permission, recommences on expiration of the Temporary Stop Notice, delegated authority be given to serve a Stop Notice to stop the breach of planning control if it is considered that this is necessary and expedient in the circumstances.*

8. The enforcement notice in accordance with the above was served on 16 January 2008. An appeal has been lodged against the enforcement notice and it is currently anticipated that the public inquiry will take place at the end of the year (November or December).

9. Since the planning committee in April, the applicant has submitted additional information regarding the reason for the breaches of planning control, including drawings showing the right of way referred to in correspondence. A copy of this information is attached to the report. A further letter has also been received accompanying amended drawings. The letter is attached to the report and the drawings will be shown during the committee presentation. The amendment is to regularise the height of the proposed stringer course.

### **Analysis of reasons**

The nine proposed modifications to the scheme offered by the applicant will result in a building that would not be likely to cause serious harm to the character and visual amenities of the area and to important views into the Grassington Conservation Area.

10. This is a material planning consideration in this case.

11. In approving the original planning permission C/33/260B (the main planning permission for the development) an important consideration was the relationship between the various external elements that contribute to the appearance of the building including window size, shape and design, other design features such as the location of the stringer course as well as the overall height and mass of the building. It was considered that the approved scheme balanced these various features successfully in a way that complimented the character and appearance of the area and the nearby conservation area.

12. The building as constructed, together with the size, siting, design and relationship of the various features that make up the elevations of the building, introduced an inharmonious form of design and relationships, particularly in relation to the window to wall ratio and the increased height of the eaves, that are detrimental not only to the appearance of the building but also the character of the area. The committee agreed with this assessment when resolving to take enforcement action.

13. The buildings that are located in the vicinity of the building are predominantly two storey in appearance. An exception to this is the Medical Centre which has a three storey element to it. It is considered that in order to assimilate the building into the area the height of the eaves should be kept as low as possible to reduce the appearance of a three storey building.

14. The amendments that are proposed are predominantly to return the building as constructed to that which was approved with three notable exceptions. These are:  
the retention of the increased eaves height;  
retention of the internal layout;  
the repositioning and design of the stringer course on the north west elevation.

15. It is the increase in the eaves height that is the major concern with the proposal. The alterations to the internal layout are not in themselves considered to be harmful to the character of the building or area, and the amendment to the repositioning and design of the stringer course is considered to be an improvement on the existing stringer course and to that previously proposed.

16. The result of the increase in the eaves height is that the relationship between the various external elements that contribute to the appearance of the building including window size, shape and design, other design features such as the location of the stringer course as well as the overall height and mass of the building is altered to the detriment of the overall appearance of the building.

17. It is considered that there is very little difference to the development that the committee resolved to take enforcement action against in January. Members should also note that at that time of the January planning committee, it had not been possible to gain access to the site in order to measure the building. However, as a result of discussions with the developer, it was assumed that the eaves were approximately 200mm higher than approved. It was on this basis that Members decided to take enforcement action. It has since been agreed by the applicant that the eaves are actually about 600mm higher than approved.

### **Conclusion**

18. It is considered that the proposal would result in a building which would be out of character with the area and which would be likely to cause serious harm to the character and visual amenities of the area and to important views into the Grassington Conservation Area. As such the proposal would be contrary to policies B7, GP2 and B8 of the Yorkshire Dales Local Plan 2006.

### **RECOMMENDATION**

9. That the application be refused in accordance with the recommendation contained in the report considered at the meeting on 8 April 2008.

10. If members are minded to approve the application contrary to officer it is recommended that this approval should be subject and to conditions based on those below and to an amended section 106 agreement being entered into to ensure that three of the residential units are restricted in accordance with the local occupancy criteria as outlined in the Local Plan

1. Amended plans
2. Window reveals 100mm
3. Rainwater good – black
4. Window frames – timber, painted white

5. All roof lights to be flush fitting
6. Details of the design of all external doors to be submitted
7. Details of the design of the stringer course to be submitted
8. Details of the materials to be used for the surfacing of the footpath to be submitted
9. Provision of Approved Parking, Manoeuvring & Turning
10. Access in accordance with details
11. Visibility splays

**Simon Chapman**  
**Senior Planning Officer**

Date: 23 May 2008

Background documents:  
Planning application file ref: C/33/260D