

Parish: Carthorpe
Ward: Tanfield
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Committee date: 31 May 2018
Officer dealing: Mrs H Laws
Target date: 8 June 2018

18/00087/OUT

Outline planning application (with all matters reserved) for the construction of five detached dwellings

**At Land to the east of Fiji Villa, Carthorpe
For Carthorpe Developments Ltd**

This application is referred to Planning Committee at the request of Councillor Webster

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site lies towards the western end of the village on the northern side of the main village street. It is currently vacant agricultural land with a frontage onto the road of approximately 90m. The depth of the site is approximately 38m and the site covers a total area of 0.37 hectares. To the west of the application site lies the dwelling known as Fiji Villa, which is a single storey detached property; to the east lies a small paddock area, beyond which is a two storey dwelling at The Meadows, which is the start of a continuous row of development along the length of the village street.
- 1.2 A mature hedgerow forms the boundary of the site with the village street; there is no boundary between the application site and the agricultural land to the north.
- 1.3 The application is in outline for the construction of five detached dwellings. All matters are reserved. A layout plan has been submitted but is for illustrative purposes only.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None relevant

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Parish Council – comments as follows:

- The plans submitted are incorrect and do not reflect the proper boundary to the property “Fiji Villa” and the proposed parcel of land;
- The ground is low lying and easily attracts standing water. Surrounding properties have been pumped out several times by the Fire Service, as their records will show. The Parish Council feels that an increased risk of flooding in this immediate area by such a development is unacceptable;
- It is felt that the proposed soakaway does not address the drainage issue, especially as the underlying strata is unsuitable;
- There is concern that the aggregated total of new properties at that end of the village will total 11, which is an additional 10% of the parishes' total housing stock. This piecemeal approach to this development area means 5 more properties (the maximum permitted per application) could be constructed without triggering the affordable housing scheme;
- There is concern that all the utilities - mains water, sewerage, electric and broadband – would not be able to cope with the incremental demand unless they were updated;
- The area represents one of the last areas of green space in the village, known for its owl population. Should planning permission be granted the Parish Council suggests that a substantial amount of land between the back of the planned site and the existing boundary hedge up to what was the old barn, be planted with indigenous plant species to encourage wildlife;
- Although the village of Carthorpe is a cluster village, in reality there are no amenities without a car ride, other than a pub, and the bus service has now ceased; and
- The plan at this stage is not showing a mix of types of properties that would reflect the current mix in that area.

4.2 Highway Authority – No objection subject to conditions.

4.3 NYCC Public Rights of Way – No works should be undertaken to affect the adjacent public right of way.

4.4 Ramblers Association – No objection.

4.5 Swale & Ure Drainage Board - The application lies outside the IDB area but may cause additional discharge into the IDB area; a condition is recommended.

4.6 Environmental Health Officer – No objection; conditions recommended.

4.7 Public comments – comments have been received from local residents as summarised below:

- It is important that surface water is disposed of through a sustainable drainage system and no more surface water is put into the public drain which routes south over farmland and into Clarkes Holding Pond. This pond currently floods that property in times of high rainfall and more load would increase this risk. The drain is a 100 year old clay tile drain and is collapsing regularly at the moment;
- Overlooking by two storey houses affecting privacy;
- The majority of properties to the south and west are single storey; the site would be out of character and have an overbearing effect;
- Block plans incorrect (amendments have since been submitted);
- All the other dwellings in the immediate vicinity are bungalows. Therefore two-storey houses will not be in keeping with the immediate area and would lead to a significant loss of privacy and amenity including loss of light and cause overlooking to the surrounding properties;
- There will inevitably be a significant increase in traffic, during construction and afterwards, which could impact on the village as a whole;

- This is a green field site and is a regular hunting ground for Barn Owl, Tawny Owl and Little Owl. The proposed development will inevitably lead to a significant loss of habitat for these threatened birds and other wildlife.
- Five more dwellings would put more strain on the drains as we already have a small development of five dwellings, plus two further dwellings under construction;
- Noise implications of even more development and parking of contractors' vehicles obstructing the footpaths;
- Loss of green spaces to housing;
- Failure to conform to the requirements of the Interim Planning Guidance, as a result of its impact on the character and appearance of the surrounding area, its reflection of the built form of the village, its access to nearby services, and the compliance with other policies contained within the Local Development Framework, specifically in relation to the delivery of the mix of dwellings required by the Type, Size and Tenure Supplementary Planning Document; and
- In doing so it has demonstrated that distinct harm would be caused through a harmful change in the character of the settlement at its western end, particularly when considered cumulatively with past modern development, and given that the proposal would remove the last green space within Carthorpe.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of residential development in this location; (ii) an assessment of the likely visual impact of the proposed dwellings on the character and appearance of the village and the rural landscape; (iii) neighbour amenity; (iv) surface water drainage; and (v) highway safety.

Principle

- 5.2 The site falls outside of Development Limits, as Carthorpe does not feature within the settlement hierarchy defined within Policy CP4 of the Core Strategy. Policy DP9 states that development will only be granted for development "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal would be a departure from the development plan. However, it is also necessary to consider more recent national policy in the form of the NPPF. Paragraph 55 of the NPPF states:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council has adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance bridges the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG includes an updated Settlement Hierarchy.
- 5.4 In the settlement hierarchy contained within the IPG, Carthorpe is defined as an Other Settlement; within the IPG small scale development adjacent to the main built form of such settlements will be supported where it results in "incremental and organic growth". To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The site lies on the edge of the village of Carthorpe which is identified in the IPG as an example of a cluster village together with Burneston. The two villages have long been linked economically and socially which continues to the present day and collectively have

churches, a primary school, two pubs and a shop. Each village is readily accessible to each other on foot or bicycle as well as by car on the local road network. Carthorpe is less than a kilometre distance from Burneston and the application site is a further 0.5km through the village. Criterion 1 would be satisfied.

Visual impact on the village and surrounding rural landscape

- 5.5 It is important to consider the likely impact of the proposed development with particular regard to criteria 2, 3 and 4 of the IPG.
- 5.6 These criteria require development to be small scale; to respect the built form and character of the village; and to have no detrimental impact on the open character and appearance of the surrounding countryside. Planning permission has recently been granted for several additional dwellings, in accordance with the IPG, whilst other dwellings have been provided nearby as a result of the regulations relating to the Permitted Development change of use of agricultural buildings. This has resulted in permission for seven additional dwellings, which is a significant number for a concentrated section of a small village like Carthorpe. The cumulative impact of a further five dwellings is considered to overwhelm the existing character of this end of the village. The western end of the village is generally more open in character, principally due to the agricultural nature of the area, with the field that in part forms the application site creating a link between the built up part of the village and the countryside beyond; the construction of a row of dwellings on this land would significantly alter its character harming the transition between the village and the open countryside.
- 5.7 Due to the resultant number of new houses that would be created as a result of this scheme along with earlier approvals it is considered that the proposals are inconsistent with the aims of the IPG of creating incremental and organic growth over time. The proposed development would be contrary to this aim due to the significant increase in the number of dwellings in this small part of the village in such a short space of time, significantly altering the character of the village as a result.

Neighbour amenity

- 5.8 LDF Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight. This is a matter that would be considered following receipt of the detailed plans at the reserved matters stage.
- 5.9 The closest property potentially affected by the development would be the single storey dwelling at Fiji Villa. Despite its single storey nature and, even if a two storey dwelling is proposed on the adjacent site, it is likely that there would be adequate separation distance to avoid any overlooking or overshadowing between existing or proposed residents. This would however be subject to details of siting and design.
- 5.10 The other neighbouring properties lie further afield and are unlikely to be affected as a result of amenity issues. It is considered that the site could be developed without detriment to neighbouring amenity.

Surface water drainage

- 5.11 The application site is within Flood Zone 1, the area of lowest risk. However, the eastern end of the site is at risk of surface water flooding, which means that a watercourse is not the source of the flood risk. It would be important to ensure that the proposed development would not be at risk of surface water flooding and that the proposed development would not displace the surface water risk to neighbouring properties. A condition could be imposed to ensure that details are submitted to

ensure that suitable measures taking this into account are included within the final design.

Highway safety

- 5.12 Notwithstanding that access is a reserved matter; the Highway Authority has no objection to the proposed development. Accordingly the proposal raises no highway safety issues. The existing public right of way lies adjacent to but outside of the application site boundary and its route would not be affected.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reasons:
1. The site is outside Development Limits and fails to meet any of the exceptional circumstances set out in LDF Policy CP4 of the Core Strategy that would justify development outside of Development Limits.
 2. The Council's Interim Policy Guidance, adopted April 2015, sets out 6 criteria to be met in order for new development to be considered to be acceptable, in order to achieve a sustainable community. The impact of this scheme alone, and the cumulative impact of developing the site for residential purposes combined with dwellings that have already been granted planning permission and constructed in the near vicinity, would have a significant detrimental impact on the character of this part of Carthorpe to its overall detriment and would as a result extend the built up form in an unacceptable manner. The proposed dwellings as shown on the submitted indicative layout plan are considered to be harmful to the existing built form of the village and to the open character of the countryside. The proposed development is considered to be contrary to the Interim Policy Guidance Note on housing in smaller settlements and Policy CP16 and DP30 of the adopted Hambleton Local Development Framework.