

Parish: Welbury
Ward: Appleton Wiske & Smeatons
11

Committee date: 26 July 2018
Officer dealing: Mr K Ayrton
Target date: 31 Jul 2018

18/00161/FUL

**Construction of a detached dwelling and detached garage with accommodation above
At Glebe Farm, Tofts Lane, Welbury
For Mr and Mrs P Walker**

**This application is referred to Planning Committee as the proposal is a departure from
the Development Plan**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is located on the fringes of Welbury, which is an 'other settlement'. It comprises part of a small grassed paddock located to the north of Glebe Farm, which comprises a tight cluster of farm buildings with a detached farm house located by the entrance to the site. Other nearby properties include a small bungalow located to the west, with its frontage onto Tofts Lane and some additional bungalows and single storey village hall heading into the main built up part of the village.
- 1.2 Welbury itself is a modest village which has been subject to a degree of development in the post-war period and includes facilities such as a modern Village Hall, St Leonard's Church and the Duke of Wellington Public House. The main developed form of the village lies to the north of the application site.
- 1.3 Outline permission was granted in 2016 for a single dwelling on a smaller part of the site (0.1 hectares). This current application has doubled the application site area (0.2 hectares) and therefore a reserved matters application could not be submitted as the red line site area had changed. The increased site area is required to accommodate the development proposed.
- 1.4 The scheme was amended during the consideration of the application following concerns raised by officers that the scheme failed to reflect the existing built form and local distinctiveness.
- 1.5 The dwelling is large in size and would sit centrally within the plot. The dwelling's main frontage would be symmetrical with a porch feature and single storey elements to both sides. The rear elevation, which overlooks open countryside has a two-storey gable feature. Accommodation is included in the roof space.
- 1.6 The detached garage would be sited to the north of the dwelling, to align with the site's boundary, and would include an upper floor for storage. No windows are shown for this.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 16/00602/OUT - Outline application for the construction of a single dwelling; Granted 16 September 2016.

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 DP3 – Site accessibility
Development Policies DP4 - Access for all
Development Policies DP10 - Form and character of settlements
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 – No comments received.
- 4.2 Highway Authority – No objection.
- 4.3 Environmental Health Officer - No objection. The proposed new dwelling is on land close to existing farms and there are existing residential premises close to both farms. No complaints have been received from the occupiers of these premises. The absence of historical complaints associated with the farms indicates that they have been adequately managed so that a nuisance has not arisen. However should the farms intensify or change ownership in the future there may be concerns and impact on residential amenity could affect the occupiers of the new dwelling.
- 4.4 Public comments – One letter received making the following comments:
- The site area is double the original size;
 - The proposed dwelling may not be viewed as small scale or in keeping with the village;
 - The site is within 20 m of a watercourse;
 - Two storey development may not respect the site's open aspect; and
 - The operation of the nearby farms could change over time.

A further letter has been received in respect of the amended plans. Concerns about the scale of the dwelling remain, along with the possibility that the garage building could become a second dwelling.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of a new dwelling in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on residential amenity; and (iv) highway safety.

Principle

- 5.2 Welbury is not listed in the Settlement Hierarchy in Policy CP4 of the Core Strategy. Policy DP9 states that development will only be granted for development in such locations 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 The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.
- 5.4 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 is intended to bridge the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG has brought in some changes and details how Hambleton District Council will now consider development in and around smaller settlements and includes an updated Settlement Hierarchy which lists Welbury as an Other Settlement.
- 5.5 The IPG states that the Council will support small-scale housing development in villages where it contributes towards achieving sustainable development by maintaining or enhancing the vitality of the local community and where it meets all of the following criteria:
1. *Development should be located where it will support local services including services in a village nearby.*
 2. *Development must be small in scale, reflecting the existing built form and character of the village.*
 3. *Development must not have a detrimental impact on the natural, built and historic environment.*
 4. *Development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.*
 5. *Development must be capable of being accommodated within the capacity of existing or planned infrastructure.*
 6. *Development must conform with all other relevant LDF policies.*
- 5.6 As an Other Settlement, Welbury must be able to form a cluster with other Secondary or Service Villages in the vicinity in order to benefit from support under the IPG. To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village or villages nearby. Welbury is 2.4km from Appleton Wiske, a Secondary Village, and also from Deighton, an Other Settlement. The IPG suggest that settlements should be "approximately 2km" apart in order to be able to share services and facilities. The road between Welbury and Appleton is a fairly typical country lane, with low levels of traffic. The route is relatively flat and would be easily cycled. There is no footpath or night time illumination of the route. However, on balance the settlement is considered to be able to form a sustainable cluster with Appleton Wiske and as such criterion 1 is satisfied. Indeed, planning permission has previously been granted for the smaller area on this general site.

Character and appearance

- 5.7 Along with the remainder of criterion 2, criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural and built form. The site is located away from the main built form of the village and is viewed in the context of the wider countryside. The nearest development is Glebe Farm, which accommodates a large detached farmhouse, which is a common feature of a

traditional farmstead. The paddocks to the north of the farm buildings detach it visually and physically from the main village. Other dwellings in the locality are small scale, with those closest to the site being bungalows.

- 5.8 The introduction of a dwelling would result in an impact. However, the previous outline application has established that the principle of development on part of the site can be supported. This is an important consideration, although the approval was for a smaller site. Whilst outline, it was possible to envisage the development accommodating a modest dwelling of vernacular design.
- 5.9 The current application relates to a larger site and associated residential curtilage. The agent has suggested that the boundary of the previous application site had been drawn arbitrarily and did not reflect the boundaries of the paddock. Whilst this appears to be the case, it is necessary to consider the impact of the larger curtilage on the character and appearance of the area. In this instance it is accepted that the existing boundary treatments of the larger site would avoid the development from encroaching or harming the wider rural character and appearance of the area.
- 5.10 With respect to the proposed built form, officers initially raised concern that the proposed scale and appearance did not respond well to the dwellings found in the vicinity and resulted in conflict with the IPG. In response, the applicant undertook further analysis of the site's context in order to inform a more responsive design. This has resulted in the overall mass of the development being reduced. Most notably the garage has been reduced in size and has been separated from the dwelling. The overall appearance of the dwelling and garage has also been simplified, in order to soften their impact and respect local distinctiveness, to allow for better integration with the site's context.
- 5.11 Whilst improvements have been made, the scheme is large for the site. Therefore it will be of utmost importance that good quality finishing and landscaping are achieved, which can be secured by condition. On this basis, it is considered that the proposed development would not result in detrimental impact on the character and appearance of the site and surrounding area.

Residential amenity

- 5.12 The siting of the dwelling is sited away from other properties in the area and raises no concern in respect of impact on residential amenity.

Highway safety

- 5.13 The existing access that serves the land would be used to serve the dwelling. There is already access onto the main adopted highway and the Highway Authority raises no objection to the proposal.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 10A and 11A received by Hambleton District Council on 2 July 2018 unless otherwise approved in writing by the Local Planning Authority.

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
5. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing SCH1011 DWG 11A. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

The reasons for the above conditions are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy CP17.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy CP16.
5. In accordance with policy DP3 and to provide for adequate and satisfactory provision of off street accommodation for vehicles in the interest of safety and the general amenity of the development.

Informative

1. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
2. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from Hambleton District Council - Waste and Streetscene.

If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at www.hambleton.gov.uk or by telephoning 01609 779977.