

Parish: Seamer
Ward: Hutton Rudby
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Committee date: 20 September 2018
Officer dealing: Mr Sean Rawling
Target date: 24 September 2018

18/01112/OUT

**Outline application with details of access (all other matters reserved) for a bungalow
At Hawthorns, Tame Bridge, Stokesley
For Prism Planning Ltd**

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

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is approximately 0.14 hectares and is used for garden land in association with the host property of Hawthorns.
- 1.2 The application site is bordered by trees to the north and west of the site, with a pond beyond. Located to the east is a site currently accommodating a vacant car sales office with a line of predominantly single storey dwellings beyond, which are characteristic of the linear form and character of Tame Bridge. Common to all development within the village is the palette of materials, including brown and red brick and tile, and cream render.
- 1.3 Located to the south, on the opposite side of the road is a belt of trees, with open countryside beyond, with pockets of dispersed development.
- 1.4 Consent was granted in May 2018 for alterations and extensions to the host dwelling, including removal of the two westernmost garage bays. This development has been commenced.
- 1.5 This proposal seeks outline planning consent for a dwelling, stated to be a bungalow. Only details of access are provided at this stage. An indicative site layout plan shows the dwelling close to the western boundary of the plot. This plan indicates that part of Hawthorns, comprising a garage and a covered area to the rear, would be demolished to make way for the development.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 98/51460/P - Construction of a conservatory; Granted 27 April 1998.
- 2.2 18/00374/FUL - External and internal alterations to dwelling; Granted 18 May 2018.

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 Policy DP1 - Protecting amenity
Development Policy DP3 - Site accessibility
Development Policy DP4 - Access for all

Development Policy DP8 - Development Limits
Development Policy DP9 - Development outside Development Limits
Development Policy DP10 - Form and character of settlements
Development Policy DP30 - Protecting the character and appearance of the countryside
Development Policy DP32 - General design
Development Policy DP33 - Landscaping
Development Policy DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework - published July 2018
Size, Type and Tenure of New Homes SPD - adopted September 2015

4.0 CONSULTATIONS

- 4.1 Parish Council – No response received.
- 4.2 Highway Authority – No objections subject to conditions.
- 4.3 Yorkshire Water – No comment.
- 4.4 Public comments – None received to date.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) the impact on the character of the village and the countryside; (iii) residential amenity; (iv) highway safety; and (v) drainage issues, including the surface water sewer.

Principle

- 5.2 The proposed site falls outside of Development Limits. Policy CP4 states that all development should normally be within the Development Limits of settlements. Policy DP9 states that development will only be granted for development in exceptional circumstances. The proposal 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 National Planning Policy Framework (NPPF).
- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside Policies CP4 and DP9, on 7 April 2015 the Council 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 includes an updated Settlement Hierarchy.
- 5.4 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.
- 5.5 In the Settlement Hierarchy reproduced in the IPG Tame Bridge is identified as an Other Settlement. This status recognises its relatively limited range of services and facilities. Therefore the IPG states that it would need to form a cluster with a Secondary or Service Village or one or more Other Settlements in order to constitute a sustainable community.
- 5.6 Stokesley, which is a Service Centre, is the largest settlement in closest proximity at approximately 1km, albeit the majority of services and facilities are located a little further to the east. The IPG notes that in order to form a sustainable community, villages must be clustered with other settlements where there are no significant distances or barriers between them. The IPG defines “significant distance” as approximately 2km. Whilst Stokesley is not a Service Village or Secondary Village, its status as a Service Centre indicates that it is more preferable in terms of its provision of services available to Tame Bridge. It is therefore considered that Tame Bridge can be viewed in a similar manner to a cluster village and that criterion 1 of the IPG would be satisfied and the principle of small scale residential development would be acceptable. This view is consistent with other applications for residential development in Tame Bridge.

Character of the village and the countryside

- 5.7 With regard to criterion 2 of the IPG, development must be small in scale and reflect the existing built form and character of the village. The proposal is for one dwelling and it is therefore considered small in scale. The proposed dwelling would be located adjacent to an existing residential property and may therefore be regarded as infill development, within an existing residential area. The supporting statement also indicates a bungalow and the Council's Size, Type and Tenure of New Homes SPD identifies a need for more choice for older people including that of bungalows.
- 5.8 IPG criterion 3 states that development must not have a detrimental impact on the natural, built and historic environment. By virtue of its scale and siting, the proposal is considered not to have a detrimental impact upon the character or appearance of the natural or built environment.
- 5.9 Criterion 4 states development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
- 5.10 The proposed dwelling would be located between existing residential properties and is therefore regarded as infill development within an existing residential area and is not located on the edge of the settlement.
- 5.11 It is therefore considered that the proposal would not have a detrimental impact upon the open character and appearance of the surrounding countryside.

Residential amenity

- 5.12 It is considered that the plot is capable of accommodating a single dwelling without prejudicing residential amenity (particularly that of Hawthorns), by being overbearing in presence, causing loss of light or loss of privacy. A single storey dwelling has been

suggested and this is considered to be appropriate given that the host dwelling of Hawthorns is of single storey form, albeit with accommodation in the roof space.

- 5.13 With adequate boundary treatments and careful positioning of windows, the issue of residential amenity could be addressed as part of a reserved matters application. The site is considered capable of providing adequate private amenity space for the proposed dwelling and the existing dwelling of Hawthorns would still have private amenity space to the east.

Highway safety

- 5.14 Criterion 5 of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure. The Highway Authority has raised no objection to the proposal in this respect and has suggested conditions. There is no evidence to suggest that the development would cause harm to highway safety.

Drainage and the surface water sewer

- 5.15 The existing dwelling of Hawthorns is served by a dedicated septic tank. The applicant has indicated that they intend to install a package treatment plant to serve both the proposed and host dwellings.
- 5.16 A package treatment plant is a more sophisticated sewage treatment plant which create an environment which facilitates the growth of bacteria which break down sewage into non- polluting end products. Treatment plants differ from septic tanks as not only does primary treatment take place but also secondary treatment. This requires an electricity supply which is used to artificially introduce air to the treatment plant; it is this oxygen transfer through the sewage which enables the growth of aerobic bacteria which are more effective in the breakdown of sewage than the bacteria present in a septic tank. This results in a higher quality effluent being produced, which can (subject to Environment Agency Consent to Discharge) be discharged directly to a watercourse.
- 5.17 The applicant has provided the results of percolation testing which suggests this would be sufficient. The exact details of this could be secured by planning condition. As such, it is considered that the site is capable of accommodating the construction of a dwelling without resulting in harm to the amenity of the village.
- 5.18 It is considered that surface and foul water can be dealt with within this application through the application of an appropriate condition.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three years from the date of this permission; ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
 2. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be

used; (b) the landscaping of the site; (c) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (d) the scale of buildings overall.

3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements (i) The details of the access shall have been approved in writing by the Local Planning Authority (ii) The crossing of the highway verge shall be constructed in accordance with the approved details and Standard Detail number E6. (iii) Any gates or barriers shall be erected a minimum distance of 5 metres back from the carriageway of the highway and shall not be able to swing over the proposed highway. (iv) The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
4. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority. The development shall not be undertaken other than in accordance with the approved details and shall thereafter be retained in accordance with those details.
5. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
6. The development hereby approved shall not be occupied until the development approved under application 18/00374/FUL has been completed in accordance with the approved plans unless otherwise approved in writing by the Local Planning Authority.
7. This decision grants permission for no more than one dwelling. The size of the dwelling in the reserved matters submission shall reflect the mix and size requirements as expressed in the Size, Type and Tenure SPD.
8. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority: (i) vehicular turning and parking arrangements.
9. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under conditions numbered 3 and 8: are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times
10. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and

in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.

11. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway b. on-site materials storage area capable of accommodating all materials required for the operation of the site. c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

The reasons are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
3. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience
4. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework Policies CP3 and DP6.
5. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
6. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1
7. To ensure that the scope of the decision reflects the proposal made and that the development meets local needs in terms of the size and type of dwellings in accordance with LDF Policy DP13 and the Size, Type and Tenure SPD.
8. To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
9. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
10. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
11. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

Informatives

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be

pleased to provide the detailed constructional specification referred to in this condition.

2. The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development – A Guide' available at www.northyorks.gov.uk.
3. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
4. 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.