

Parish: Hornby
Ward: Appleton Wiske & Smeatons
9

Committee Date: 15 November 2018
Officer dealing: Mrs H Laws
Target Date: 29 November 2018

18/02135/OUT

Outline application for the construction of one dwelling with some matters reserved (access included).

At: Land west of The Paddocks, Hornby

For: Mr M Morrison

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

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies at the western edge of the village on the southern side of the road leading into the village from Great Smeaton. The Hornby Conservation Area lies to the east and north east of the application site but does not form a boundary with the site.
- 1.2 The site covers an area of 0.2 hectares with a frontage onto the village street of approximately 24m and a depth of approximately 100m. The land is currently a paddock area. A mature hedgerow forms the boundary of the site with the highway; an access driveway lies to either side of the site, serving separate properties (The Old Mill to the east and Grange Farm to the west), and a landscaped boundary with The Old Mill to the rear.
- 1.3 The site lies immediately to the west of an existing detached dwelling, known as The Paddocks. On the opposite side of the main village street from the application site lies a detached dwelling known as Field View House. Planning permission was granted, but to date not implemented, for a single dwelling on the northern side of the road (17/01800/REM) directly opposite the application site.
- 1.4 It is proposed to construct a detached dwelling on the site. The application is in outline with access included as a matter for consideration at this stage. The remaining matters, i.e. layout, appearance, landscaping and scale would be for a later application if this is approved. An illustrative drawing and layout plan have been submitted, which shows a detached two storey dormer style dwelling, set back in line with The Paddocks, served by the existing driveway at the western side of the site.
- 1.5 It is proposed to retain the existing boundary hedge to the front with new timber fencing installed along the side boundaries.

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 None

3.0 RELEVANT PLANNING POLICIES:

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

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 DP9 - Development outside Development Limits
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 24 July 2018

4.0 CONSULTATIONS

- 4.1 Parish Council – no comments received (expiry date for representations 31/10/2018)
- 4.2 NYCC Highways - no objections subject to conditions
- 4.3 Northumbrian Water - no comments
- 4.4 Publicity – no comments received (expiry date for representations 19/11/2018)

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 of the surrounding area, including the character and appearance of the village and the rural landscape; (iii) the effect on the Conservation Area; (iv) the impact on the amenity of neighbouring occupiers; and (v) highway safety.

The principle of development

- 5.2 The village of Hornby does not have any Development Limits, recognising its relatively small size. LDF Policy DP9 states that development will only be granted for development beyond Development Limits “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 78 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. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

- 5.3 To ensure consistent interpretation of the NPPF alongside Policies CP4 and DP9, 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.
- 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 IPG, Hornby is identified as an Other Settlement. This is in recognition of the relatively small number of services and facilities, which include a pub and village green. Therefore it would need to form a cluster with a Secondary or Service Village or one or more Other Settlements. Where a cluster comprises only Other Settlements, they must have a good collective level of shared service provision in order to comply with criterion 1 of the IPG.

5.6 Great Smeaton and Appleton Wiske, which are both Secondary Villages, are the largest settlements in closest proximity and are approximately 1.6km and 2.5km respectively. 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. It is therefore considered that Hornby can be viewed as an example of a cluster village with Great Smeaton. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable.

Character of the village and surrounding countryside

5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings; however this does not automatically mean that 5 dwellings would be appropriate in every settlement. In this instance a single dwelling is proposed, which must be considered cumulatively with the planning permissions recently granted for other dwellings in this part of the village. Permission has been granted for a dwelling opposite the site and permission for two further dwellings; one on either side of the road leading into the village from the north. This brings the total dwellings approved under the IPG in this part of the village to three. However, the overall scale is still considered to accord with the requirements of the IPG. There is also a further approved development for 3 dwellings in the eastern part of the village but this is not viewed in the same context. The dwelling now proposed lies immediately adjacent to and opposite existing (and approved) dwellings and therefore would not overwhelm the form and character of the village.

5.8 With regard to the impact on the rural landscape, the site has much in character with the village due to its proximity to existing dwellings. The existing hedgerow, to the road frontage would be retained together with additional landscaping, which would help to provide a soft but definitive boundary between the village and the countryside beyond. It is considered that the development would not adversely affect the open rural character of the surrounding countryside.

Conservation Area

5.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or

enhancing the character or appearance of the Hornby Conservation Area when deciding this application.

- 5.10 The Conservation Area covers a mainly residential area, accommodating dwellings with a predominantly linear built form on either side of the main road passing through the village. Therefore the introduction of an additional dwelling adjacent to the Conservation Area would preserve the existing character of the Conservation Area, subject to the assessment of the eventual design to be considered at the Reserved Matters stage.

Residential amenity

- 5.11 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. The main impact to consider is in relation to the occupiers of the adjacent dwelling, The Paddocks, to the east.
- 5.12 The position of the site is such that it would allow for a design that can achieve satisfactory levels of separation and avoid overlooking. The effects of the proposed dwelling on the amenity of existing local residents would be properly assessed following the submission of a detailed reserved matters application but it is anticipated that an appropriately designed scheme would avoid overlooking or an overbearing impact on the residents of The Paddocks.
- 5.13 The site lies far enough from the dwellings on the opposite side of the road for there to be no impact on the amenity of those residents. The proposed development would not therefore be contrary to LDF Policy DP1.

Highway matters

- 5.14 It is proposed to use the existing access and driveway at the western side of the site. The access currently serves farm buildings to the south. The access currently achieves the required visibility and there would be no objections to its use by an additional dwelling.
- 5.15 It is considered that a safe access can be achieved and the Highway Authority has raised no objections subject to conditions.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application 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 the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Five 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. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the scale of the proposed dwelling; (b) the layout of proposed building(s) and space(s) including parking areas; (c) design and external appearance of each building, including a schedule of external materials to be used; (d) the landscaping of the site.

3. All new, repaired or replaced areas of hard surfacing shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.
4. No above ground construction work shall be undertaken 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 above ground construction work shall be undertaken until details relating to the boundary treatment of the development have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the boundary treatment for that dwelling has been implemented in accordance with the approved details and thereafter retained.
6. 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.
7. 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 accesses;
 - (ii) vehicular parking; and
 - (iii) vehicular manoeuvring and turning arrangements.
8. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number HC-14a have been constructed and 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.
9. 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:

- (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway;
- (ii) on-site materials storage area capable of accommodating all materials required for the operation of the site; and
- (iii) the approved areas shall be kept available for their intended use at all times that construction works are in operation.

10. The outline permission for development hereby approved is for a single dwelling only.
11. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing numbered P03 received by Hambleton District Council on 4 October 2018 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990
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 reduce the volume and rate of surface water that drains to sewers and watercourses and thereby not worsen the potential for flooding in accordance with Hambleton LDF Policies CP21 and DP43.
4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with LDF Policies CP16 and DP30.
5. To ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP16 and DP30.
6. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies CP21 and DP43.
7. To ensure appropriate on-site facilities, in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.
8. To provide for appropriate on-site vehicle facilities, in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.
9. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area in accordance with LDF Policies CP2 and DP4.
10. In order that the scale of development is acceptable and to accord with the requirements of development policy DP32 and the Council's Interim Policy Guidance.

11. 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 Policies.

Informatives

1. 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.
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