

Parish: Carthorpe

Ward: Tanfield

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Committee date: 13 December 2018

Officer dealing: Mrs H Laws

Target date: 21 December 2018

18/00964/OUT

Outline planning (all matters reserved) for the construction of one detached dwelling as amended by email received by Hambleton District Council on 22 October 2018

At: Field House, Carthorpe

For: Mr Askham

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 existing dwelling lies within a substantial plot on the southern side of the street, towards the western end of the village. The existing dwelling is a bungalow style, brick and tile, detached property with first floor accommodation served by rooflights. A detached double garage lies on the eastern side of the plot with a utility area and office at first floor.
- 1.2 The site has a well-established landscaped garden with several trees and shrubs.
- 1.3 It is proposed to remove the existing detached garage and construct a two storey detached dwelling.
- 1.4 There are no matters included for approval at this stage. All matters, i.e. access, appearance, landscaping, layout and scale would be for a later application if this is approved.
- 1.5 The application was originally submitted for two dwellings with one proposed to the rear of the existing garden area. The application has been amended to delete this dwelling from the scheme. An illustrative layout has been received, which shows a single dwelling located in a similar position to the existing garage.
- 1.6 The existing access would be used to serve the proposed dwelling. The application also includes details of a proposed new access at the western end of the site frontage and for the formation of a new driveway to serve the existing dwelling.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/02454/FUL – Construction of double garage, porch and re-positioning of car port. Permission granted 16/12/2011.

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 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 – The proposed buildings are quite tight together and the access appears narrow. Concern had been raised regarding site lines for vehicles accessing and leaving the site and issues of increased road side parking on the brow of the hill. The development is inconsistent with the linear structure of the village and sets a precedent for back filling. There is a supporting comment in the application that Burneston has a shop and post office – these are about to close down.
- 4.2 Highway Authority – In order to satisfy the visibility requirements under Manual for Streets guidance, the Western boundary hedge will require cutting back. It is also to be noted that the Eastern boundary hedge should also be cut back to improve visibility to the East when leaving the existing access. Conditions are recommended.
- 4.3 MOD – no safeguarding objections
- 4.4 Public comments – objections have been received from two residents regarding the original plans, which are summarised as follows:
- The sun room of the neighbouring house has 2 windows facing west, directly onto the proposed side wall of the new 4 bedroom house. These windows currently face open sky and let in much light. Concerned that light levels will be severely affected by a tall building built directly opposite. If the new house was aligned as the existing building is then it wouldn't be such a problem.
 - The design and Access Statement submitted with the application makes the very valid statement that "Carthorpe is generally a linear settlement", yet it purports to support an application to move away from that established practice
 - This site cannot be considered infill as it is already entirely occupied by a domestic dwelling and its ancillary buildings.
 - Flood risk. Land in this area drains principally to the South (the rear of the proposed site) to an area which floods readily after rain. An increase in hard surfaces could result in worsening this problem.
 - Housing Stock. Recent applications have raised the housing stock by 11 properties, 10% of the parishes housing stock. A further two substantial homes are therefore not required.

- Utilities. Carthorpe Parish Council has already expressed real concern that "all utilities - mains water, sewerage, electric and broadband - would not be able to cope with the incremental demand unless they were updated".
- Mix of properties. The Parish Council has repeatedly expressed the view at recent meetings that affordable housing is required not substantial detached homes beyond the reach of the local population
- The claim services in Burneston are of equal value to Carthorpe is opposite to the comments made by the council who are clear when they say "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". Can a village with a declining level of amenities suddenly have to cope with such a significant increase in its population?
- Concerns about the proposed additional access point to the public highway which would emerge at a point where parking is at highest demand due to proximity to the Village Chapel, Village Hall and a bed and breakfast establishment. This is in addition to it being at a narrow part of the street and close to the brow of a hill where the view of road users is often already obscured by parked cars.

A comment has been received neither in support nor objecting to the proposal, making the following comments:

- It is essential that no surface water or foul water be discharged to drains to the south of the site as this drain is already over capacity and floods Clarkes Holding on a regular basis during heavy rain.

Following receipt of the amended plans to reduce the scheme from two to one dwelling, the following comments have been received:

- Maintain concern over access to the highway at this point. Consideration should be given to restricting entry to a shared driveway, perhaps using the existing access point, rather than building a second so close to the brow of a hill.
- It is not clear from the outline plan how high the new house will be and the development line in relation to neighbouring property
- Concerns over the blocking of light into neighbouring sun room from a tall development in that location.
- Potential privacy issues with windows looking into neighbouring sun room, bedroom and rear garden
- A tall fence or wall should be constructed to fill the gap produced when the outbuildings are demolished
- The existing boundary hedge should be protected. The plan states that they will be maintained, but the highways department states that "the Western boundary hedge will require cutting back

5.0 OBSERVATIONS

- 5.1 The main issues for consideration in this case relate to (i) the principle of a new dwelling in this location outside Development Limits; (ii) an assessment of the likely impact of the proposed dwelling on the character and appearance of the village and the rural landscape; (iii) neighbour amenity; and (iv) highway safety.

The principle of development

- 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 permission 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 78 of the NPPF states:
- 5.3 "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".
- 5.4 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 has included an updated Settlement Hierarchy.
- 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 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 the settlement "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 within 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. Collectively they have churches, a primary school, two pubs and a shop. Connectivity is good between the two villages which are readily accessible on foot or bicycle as well as by car. 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.

Character and appearance of the village and the rural landscape

5.7 In order to draw support from the Council's adopted Interim Policy Guidance (IPG) proposals must be small in scale and provide a natural infill or extension to an existing settlement and also conform to other relevant Local Development Framework Policies.

5.8 The following detailed advice within the IPG is considered to be relevant:

"Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."

"Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."

5.9 The application has been amended and is now for a single dwelling. This is considered small scale, and is for infill development between two existing dwellings within a part of the village where there have been no previous IPG approvals. The dwelling would replace a large detached garage building and would have adequate space to all sides for it not to appear as a cramped addition in the street. Subject to details of scale, siting and design, it is suggested that the site is capable of accommodating an additional dwelling unit without detracting from the character and appearance of the village.

Impact on the amenity of neighbouring occupiers

5.10 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, Hill Top Cottage, to the east.

5.11 The position of the site is such that it would allow for a design to achieve satisfactory levels of separation and avoid overlooking and overshadowing. 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 aspect on the residents at Hill Top Cottage and the existing dwelling at Field House.

5.12 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 the residents of those properties. The proposed development would not therefore be contrary to LDF Policy DP1.

Surface water drainage

5.13 The site does not lie within an area of flood risk but 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 is recommended to ensure that details are submitted to ensure that suitable measures taking this into account are included within the final design.

Highway safety

5.14 Access to the site is a matter reserved for future consideration but it is proposed to use the existing access to serve the proposed dwelling only. This is no different to

the existing access serving the existing dwelling and therefore the Highway Authority has no objections. It is recommended that the existing hedgerow is cut back to improve visibility and this can be achieved by condition.

- 5.15 There are also no objections to the proposed creation of a new access to serve the existing dwelling. Again, it is recommended that the hedgerow is cut back to improve visibility and this can be achieved by a condition.
- 5.16 Adequate parking space would be available off-street to avoid any increase in on street parking to the detriment of highway safety.

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 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 (d) the means of access to the site.
 3. The outline permission for development hereby approved is for a single dwelling only.
 4. 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.
 5. 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.
 6. 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.
 7. No above ground construction work shall be undertaken until detailed cross sections have been 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.

8. The development hereby approved shall not be commenced until details of the surface water drainage have been submitted and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented prior to the occupation of the dwellings and retained.
9. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
10. 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:
 - a. The details of the access shall have been approved in writing by the Local Planning Authority
 - d. The crossing of the footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
 - e. Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
11. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43.00m measured along both channel lines of the major road C52 Carthorpe Village Street from a point measured 2.40m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.60m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
12. 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:
 - a. vehicular and pedestrian accesses
 - b. vehicular parking
 - c. vehicular turning arrangements

No part of the development shall be brought into use until the approved vehicle access, parking and turning areas have been constructed in accordance with submitted details. Once created these areas shall be maintained clear of any obstruction and retained for their
13. 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 facilities shall include the provision of wheel washing facilities where considered

necessary 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.

14. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan received by Hambleton District Council on 8 May and email received on 22 October 2018 unless otherwise approved in writing by the Local Planning Authority.

The reasons 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 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.
- 4 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.
- 5 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.
- 6 To ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP16 and DP30.
- 7 To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies.
- 8 In the interest of satisfactory drainage in accordance with LDF Policies CP21 and DP43.
- 9 In the interests of highway safety in accordance with LDF Policies CP2 and DP4.
- 10 To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience in accordance with LDF Policies CP2 and DP4
- 11 In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
- 12 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.
- 13 To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety in accordance with LDF Policies CP2 and DP4.
- 14 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

- 2 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. 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 condition 10.