

Parish: Welbury
Ward: Appleton Wiske & Smeatons
14

Committee date: 10 January 2019
Officer dealing: Mr Sean Rawling
Target date: 30 November 2018

18/01133/OUT

Outline planning submission for Detached Dormer style Dwelling on land adjacent Lyndale
At Land Adjacent Lyndale, Welbury, North Yorkshire, DL6 2SG
For Mr and Mrs L Race

This application is referred to Planning Committee as the request of a Member of the Council

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is located on the northern fringes of Welbury, which is an 'other settlement'. It comprises part of a small grassed area located to the south of Lyndale and Mayvern, a pair of semi-detached dwellings. A large agricultural-type building, used as a contractors workshop lies to the east of the site. Other nearby properties include 2 bungalows located to the north, with their frontage onto Tofts Lane.
- 1.2 Welbury 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 south-east of the application site.
- 1.3 This proposal seeks outline planning consent for a dwelling, stated to be a bungalow. An indicative plan shows that the site will make use of an existing access which currently serves Lyndale, Mayvern and the contractor's workshop.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 95/51685/P- Alteration to existing vehicular access.- Granted

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
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 – Concerns raised over capability of drainage infrastructure.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Public comments – None received

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.
- 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 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.
- 5.4 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 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 suggests 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 street lighting. 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. This is consistent with previous applications elsewhere in the village.

Character and appearance

- 5.6 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 largely in the context of the wider countryside.
- 5.7 The nearest developments are the agricultural-type building which sit behind the site, and the row of small dwellings situated in a linear row to the north. A significant parcel of open agricultural land to the east of the site and the bend in the highway serves to detach the site visually and physically from the main village. It is considered that the proposed development and its immediate surroundings are incongruous with the main built form of the village.
- 5.8 Therefore, the introduction of a dwelling would result in a detrimental impact as it does not represent a natural infill or organic growth to the village. With respect to the proposed built form, officers initially raised concern that the proposed location did not respond well to the built form of the village and resulted in conflict with the IPG. In response, the applicant outlined that the site is located within the village signs and located at similar distance from the main built form as previously approved schemes.
- 5.9 There are a number of previous applications relating to dwellings located with Welbury. However, as a result of the significant separation between the main built form and the proposed development site, there is not considered to be any comparable sites in this instance.
- 5.10 On this basis, it is considered that the proposed development would result in an unacceptable detrimental impact on the character and appearance of the site and surrounding area and does not comply with criteria 2 and 4 of the IPG.

Local infrastructure

- 5.11 Criterion 5 of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure.
- 5.12 Concerns were raised by the Parish Council regarding the capability of the existing drainage system in the village. However, the small scale nature of the proposed development is unlikely to result in significant harmful pressure on local infrastructure, in particular surface and foul water drainage.

Residential amenity

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

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.
- 5.15 The Highway Authority has raised no objection to the proposal in this respect and has suggested conditions. Furthermore, there is no evidence to suggest that the intensification of the existing access onto the adopted highway would cause harm to highway safety.

6.0 RECOMMENDATION

6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason(s):

1. The scheme is contrary to CP4 of the Hambleton Local Development Framework and does not meet any of the exceptional circumstances for development outside Development Limits. It also fails to comply with the requirements of the Council's Interim Policy Guidance Note as the location does not respect the built form of Welbury by proposing development where it is considered not to be organic growth of the village, providing a natural infill to existing development or a natural extension to the built form.