

**Parish: West Rounton**  
Ward: Appleton Wiske & Seatons  
**15**

Committee date: 10 January 2019  
Officer dealing: Helen Ledger  
Target date: 14 January 2019

**18/02362/OUT**

**Outline planning permission with some matters reserved (access) for the construction of a dwelling and relocation of Post Office**

**At Site Garden Cottage West Rounton North Yorkshire DL6 2LW**

**For Applicant Mr R Semain**

**This application is referred to Planning Committee as a departure from the development plan**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site is located in West Rounton a Secondary Village in the Settlement Hierarchy. The site is the centre of the village and accessed down an unadopted track. Historically the settlement would have been in a linear form however over recent times significant development has taken place to the west of the main road expanding the village in an established block to the west. There is no development limit identified for West Rounton or any specific local policies set out in the Local Development Framework.
- 1.2 The site is currently the domestic garden of Garden Cottage which also includes the small village post office on the edge of the curtilage. The access route is currently loose road chippings and is narrow in its entrance and egress from the main road adjacent Corner Cottage. The site is located to the north of the track behind the current post office and a hedgerow. The site has several mature trees and hedges on its borders.
- 1.3 The proposal is to construct a new detached dwelling in the domestic curtilage of Garden Cottage. Indicative plans show this will also require the relocation of the part time post office to the west of the site with a new pedestrian access track.
- 1.4 The matters for approval at this stage are access only. The remaining matters, i.e. appearance, landscaping, layout and scale would be for a later application if this is approved.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 02/01372/FUL - Change of use of domestic garden and construction of building as a sub post office as amended by plan as received by Hambleton District Council on 22nd August 2002; Granted 04 September 2002
- 2.2 17/02488/FUL - Demolition of existing extension. Construction of new front sun room extension. Granted 09 September 2018
- 2.3 17/01815/OUT - At land and buildings to rear of Ivy Cottage and Rose Cottage, West Rounton – Granted outline approval including access 21 March 2018. This approval is located adjacent to Garden cottage and uses the same access route as proposed in this application. It was approved contrary to a recommendation of refusal from the highways department at North Yorkshire County Council.

### **3.0 RELEVANT PLANNING POLICIES**

#### 3.1 The relevant policies are:

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 24 July 2018

### **4.0 CONSULTATIONS**

#### 4.1 Parish Council – No comments received to date

#### 4.2 Highway Authority – In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The design standard for the site is Manual for Streets, and the required visibility splay is 2.4 metres by 43 metres. The available visibility is 2.4 metres by 10 metres in a southerly direction.

Consequently, the Local Highway Authority recommends that Planning Permission is REFUSED for the following reasons:

The existing access, by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 2.4 metres x 43 metres cannot be achieved at the junction with the County Highway in a southerly direction and therefore, in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

#### 4.3 Public comments – Three representations have been received, one in support and two in objection.

A summary of objection responses:

- Safety concerns as access via junction with main road has poor visibility to the right.
- Increase in traffic will increase the risk of accidents
- The development during construction will cause noise, nuisance and congestion from delivery vehicles
- Will increase traffic in an area that already has limited access and manoeuvring space.
- Will make access to the Post Office more difficult for those villagers with limited mobility
- Will severely limit access for emergency vehicles

- It will create a suburb location rather than the current country village

A summary of supportive comments:

- Small development will support village vitality and support businesses.
- Outline planning permission has been granted for a similar development (17/01815/OUT) no reason why this should not be granted too.
- Disruption is inevitable but only short term.
- As near neighbour current vehicle movements are rarely seen and all executed with little difficulty.

## **5.0 OBSERVATIONS**

- 5.1 The main issues to consider are: (i) the principle of a new dwelling outside development limits; (ii) the impact of the development on the character and appearance of the settlement and the rural landscape; (iii) neighbour amenity; and (iv) highway and access issues.

### Principle

- 5.2 This site is outside development limits for West Rounton. Policy CP4 states that all development should be directed within development limits unless an exception case could be made. Policy DP9 echoes policy CP4 and provides further provision for development outside development limits if it would represent a replacement building. The applicant has not claimed any of these exceptions.
- 5.3 The recently revised National Planning Policy Framework (NPPF) is also a key consideration. The publication of the previous NPPF caused the council to consider the compliance of Local Development Framework with this new national policy and this resulted in the adoption of the Interim Policy Guidance (IPG) on small housing development within villages and where this can meet the NPPF's sustainable development objectives.
- 5.4 The new NPPF (July 2018) continues to support development in villages where this would support local services allowing them to grow and thrive. Paragraph 78 continues to acknowledge that development in one village may support services in another village nearby, which is the foundation for the IPG approach.
- 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 West Rounton is listed as a secondary village in the settlement hierarchy which recognises the range of service and facilities and confirms that it is a sustainable settlement capable of accommodating small scale development. Therefore this complies with criterion 1 on the IPG, development here would support local services.
- 5.7 IPG criterion 2 requires the development to be small scale, defined as under five. As this development is for one dwelling this criterion is met.

#### Character and appearance

- 5.8 Criteria 2, 3 and 4 require the development not to have a detrimental impact on the character, natural and built environment, and the surrounding countryside. This approach is consistent with other LDF policies. It is noted that the development proposed here is in outline with all matters reserved except access.
- 5.9 The site is between Garden cottage and Rose cottage, located within the garden of the former property and behind an established hedge and the village post office. The plot itself is large enough, both in width and depth, to accommodate a single dwelling without any significant impact on the built environment or character of the village. The village post office will be retained but relocated to the western edge of the site with a new pedestrian access.
- 5.10 The site is already in residential use, being part of the domestic curtilage and surrounded by residential development on all sides. The site appears as a natural infill plot which would not have any impact on the openness of the countryside. It is considered that a single dwelling in this location can be supported without causing any harm to the character or appearance of the area.

#### Residential Amenity

- 5.11 This matter will need to be considered in more detail at the Reserved Matters stage; however the scale of the development proposed and the size of the plot indicate that it would be possible to locate a dwelling in this location without any substantial harm to residential amenity.
- 5.12 It is intended to retain the part time village post office and relocate it to the western edge of the site; therefore there will be no loss in local services.

#### Highway Safety

- 5.13 Criterion 5 of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure.
- 5.14 The proposal will necessitate the removal of an existing double garage and require new access through this area to reach the garden beyond. Plans show it is possible to provide a turning area and parking for two vehicles; allowing vehicles to leave in a forward gear. The comments received from the Highways Authority make no comments on this layout within the site. The final arrangement can be secured by planning condition.
- 5.15 The access proposed to the main road infrastructure would use the existing un-adopted village track on to the main road between Corner cottage and Chestnut House. The Highways Authority have recommended refusal as the the required visibility of 2.4 metres x 43 metres cannot be achieved at the junction with the County Highway in a southerly direction.
- 5.16 The existing track currently serves 8 dwellings and planning permission was recently granted for a dwelling on land between Ivy Cottage and Rose Cottage using the

same access track. It is important to consider whether the addition of a further dwelling will have any impact on highway safety.

- 5.17 It is noted, as it was under the assessment of 17/01815/OUT, that cars are unlikely to pass the southern side of the access track at the maximum speed of 30 mph. The road layout bends to the right on approach from the south and travels uphill narrowed by existing curtilages. However no speed survey has been submitted.
- 5.18 On balance given the geography of the local road infrastructure and the limited number of new vehicle movements the development would generate, one new dwelling in this location would not be detrimental to highway safety; notwithstanding the concerns raised by the Highway Authority.
- 5.19 The cumulative impact of development in this location must be understood. At the time of the earlier approval it was considered that one additional dwelling amongst the existing 8 dwellings, would not cause a significant impact on road safety.
- 5.20 The applicant has been asked to provide additional information about the visibility splay and road speeds in the vicinity to assist in the assessment of the application. Any additional information will be reported in the Committee update.

#### Flooding and Drainage

- 5.21 Policy DP43 seeks to direct development to areas of lowest flood risk. Based on the submitted information from the Environment Agency's flood risk mapping the site has been assessed as being at low risk from flooding. The application details that foul drainage from the site would connect to the existing mains sewer. Surface water would be drained in accordance with the Environment Agency's drainage hierarchy, with full consideration given to the implementation of soakaways and sustainable urban drainage systems.

### **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 means of access to the building plot(s), (b) the siting, design and external appearance of each building, including a schedule of external materials to be used; (c) the landscaping of the site; (d) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (e) the scale (including the number) 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 in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the vehicular parking and turning arrangements have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

4. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 3 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.
5. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development 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.
6. Development above ground level 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.
7. If the surface water is to be discharged to any watercourse within the Swale and Ure Drainage District, consent from the IDB would be required in addition to planning permission, and would be restricted to 1.4 litres per second per hectare or green-field runoff. No obstructions within 9 metres of the edge of a watercourse are permitted without consent from the IDB.
8. 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.
9. The development shall not be occupied 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. This should include measures to ensure the protection of the boundary hedges and trees. 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.
10. This decision grants permission for no more than 1 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.

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. In accordance with policy DP3 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
4. In accordance with policy DP3 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development
5. 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.
6. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework Policies CP3 and DP6.
7. In accordance with Local Development Framework Policies CP3 and DP6.
8. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
9. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policies CP17, DP32 and DP33.
10. 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.