

Parish: Thrintoft
Ward: Morton-on-Swale
16

Committee date: 7 March 2019
Officer dealing: Ms A O'Driscoll
Target date: 7 February 2019

18/02620/OUT

**Outline application with details of access (all other matters reserved) for the construction of three dwellings
At Former Derbyshire House, Thrintoft
For Mr G Harland**

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

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located to the south eastern end of the village of Thrintoft. The site is currently vacant. The site history shows that permission was granted for the demolition of a single dwelling and construction of a replacement dwelling. This appears to have been partially implemented as the original dwelling has been demolished.
- 1.2 The site is set higher than the village access road (which in this part of the village is a cul-de-sac) and above the ground level of the adjacent dwelling to the east. This dwelling is a bungalow which has been extended to its western elevation and is set against a retaining wall such that only the roof of the property is visible. The rest of the adjacent and neighbouring dwellings are two storeys and of a substantial form and scale. The dwellings to the south-west of the site are set on rising ground.
- 1.3 This application is for outline permission with access considered for three dwellings. Indicative plans show a pair of semi-detached dwellings and one detached dwelling.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 14/01022/FUL - Demolition of existing dwelling and construction of new dwelling together with all associated ancillary works; 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 CP8 - Type, size and tenure
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

4.0 CONSULTATIONS

- 4.1 Parish Council – The Parish Council submitted comments which arose through a village meeting. Issues raised include the capacity of the village to accommodate new housing in terms of flooding and drainage, increased traffic and road surfaces. Comprehensive comments were submitted including a number of issues which are not strictly planning issues. Full comments are available to view on the public access website.
- 4.2 Highway Authority – No objection subject to conditions relating to discharge of surface water, visibility splays, details of access turning and parking and construction management.
- 4.3 Yorkshire Water – No comments
- 4.4 SABIC – No comments, the development will not affect the pipeline
- 4.5 Public comments – One letter of objection was received from a member of the public who considered the proposal to be out of keeping with the area.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are (i) the principle of two additional new dwellings in this location outside Development Limits; (ii) the likely impact of the proposal on the character and appearance of the village and the rural landscape; (iii) neighbour amenity; and (v) highway safety.

The principle of development

- 5.2 The site is outside Development Limits as Thrintoft 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 locations such as this "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal is 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. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".
- 5.3 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 bridges 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 2014 Settlement Hierarchy reproduced within the IPG, Thrintoft is defined as an Other Settlement.
- 5.6 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 Thrintoft which is identified in the Interim Policy Guidance as part of a cluster of villages with Ainderby Steeple and Morton on Swale. These three villages have long been linked economically and socially, which continues to the present day. Collectively the three villages have a church, pre-school, primary school and shops, whilst each village supports a public house. However, it is clear that Morton on Swale accommodates the majority of the services and facilities. This is recognised in its status as a Service Village. On that basis, the IPG indicates that Thrintoft is a sustainable location for appropriate small-scale development and criterion 1 would be satisfied. Accordingly, there is support for the principle of additional dwellings in this location.

Character and appearance of the village and the rural landscape:

- 5.7 In relation to criteria 2, 3 and 4 the Interim Policy Guidance indicates that "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". Thrintoft is a linear settlement which has been subject to incremental infill over time without encroaching extensively into the countryside. In this case the proposal is for three dwellings (two net additional dwellings, noting the demolition of a single dwelling). Permission has previously been granted for a larger single replacement dwelling. Indicative plans provided with this application show a pair of semi-detached dwellings and a single detached dwelling. The footprint is similar to that previously approved. Subject to an appropriate reserved matters application relating to design and scale it is considered that the proposal would respect the existing built form and character of the village; would not have a detrimental impact on the natural, built and historic environment nor would it detrimentally impact on the open character and appearance of the surrounding countryside. Criteria 2, 3 and 4 of the IPG are considered to be satisfied.

Neighbour Amenity

- 5.8 The indicative site plan submitted shows that with three dwellings on the site a separation distance of at least 10 meters could be achieved between the side elevation of the proposed dwelling and the side elevation of the existing dwelling to the south west (The Meadows). To the north east, the neighbouring bungalow (Gable End) does not have any relevant windows facing the application site. It is therefore considered that a satisfactory layout could be achieved that would not significantly harm the amenity currently enjoyed by neighbours.

Highway Safety

- 5.9 Access is to be considered on this outline application. The Highway Authority has indicated that sufficient space is available within the site to provide adequate parking and turning arrangements for the indicated number and type of dwellings. As scale and layout are not considered at this stage a condition relating to final details of access, turning and parking is recommended to allow for minor alterations should the layout indicated change at reserved matters stage.
- 5.10 The Highway Authority has indicated that the required visibility splays are achievable. However, alterations to the front boundary may be required to facilitate this. Consequently a condition ensuring that correct splay is recommended.
- 5.11 Further standard conditions are also recommended in relation to the prevention of surface water discharging to the highway and construction management relating to parking, onsite storage and wheel washing

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 which ever 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. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) 2018:54/01 Rev. B received by Hambleton District Council on 19th of February 2019.
 3. 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 dwellings; (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.
 4. 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.
 5. 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 highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

6. 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 33.0 metres measured along both channel lines of the major road U2187 from a point measured 2.0 metres down the centre line of the access road. The eye height shall be 1.05 metres, and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
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; (a) vehicular and pedestrian accesses; (b) vehicular parking; and (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 the submitted details. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
8. 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.
9. There shall be no site clearance, demolition, excavation or depositing of material in connection with the construction on the site until the following proposals have been submitted to and approved in writing by the Local Planning Authority: (i) an on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway (ii) measures to ensure vehicles associated with construction works use the approved parking areas and do not park on the public highway (iii) a materials storage area on the site capable of accommodating all materials required for the operation of the site and measures to ensure its use The works shall be carried out in accordance with the approved details and the approved areas shall be kept available for their intended use at all times whilst construction works are in operation.
10. The development hereby approved shall allow the development of no more than 3 dwelling units.

The reasons are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interest of proper planning.
3. 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.
4. In the interest of visual amenity.

5. In the interests of highway safety.
6. In the interests of road safety.
7. To ensure appropriate on-site facilities, in the interests of highway safety and the general amenity of the development.
8. In accordance with Policy CP1, DP1, CP2 and DP3 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
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.
10. In order that the quantum of development is appropriate to the size and form of site and to ensure that the character and appearance of the area is protected, in accordance with Development Policy DP32.

Informatives

1. An explanation of the terms used above is available from the Highway Authority.
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. Any landscaping within the site is to be positioned and maintained such that it does not encroach on or over the adjacent highway.
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.

5. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.