

**19/00084/OUT**

**Outline application for a detached two storey dwelling  
At Land Adjacent To 1 Manor Farm Cottages, Vicar Hill Lane, Little Thirkleby  
For Mr Trenholme**

**This application is referred to Planning Committee as the application is a departure from the Development Plan and at the request of a Councillor**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The application site forms part of Manor Farm, Little Thirkleby and has been previously used as amenity land for the neighbouring residential properties as indicated by the agent. It is currently used as grazing land to maintain the grass.
- 1.2 The application site lies towards the centre of the village of Little Thirkleby. The built settlement of Little Thirkleby provides linear development running north to south on either side of Vicar Hill Lane.
- 1.3 The site is bordered by hedgerows to three sides and a residential property to the northern elevation. Vicar Hill Lane borders immediately to the west elevation.
- 1.4 This application is for outline consent for the construction of a single dwelling house. The agent has indicated that the dwelling will be two-storey. However, the scale and nature of the dwelling will be determined at reserved matters stage.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 87/1201/OUT - Outline Application for the construction of a dwelling; refused 1987.
- 2.2 04/01403/OUT - Outline application for 3 bedroomed dwelling; refused 22 September 2004. The reasons for refusal were:
  1. The proposed dwelling is contrary Hambleton District Wide Local Plan 1999 Policy L1 and H23 as the development is outside Development Limits. Outside Development Limits residential development is limited to that required for agriculture, forestry or other purposes when a dwelling is essential and fulfils the requirements of Policy H23 and H23 as amended. The justification put forward for this development is not of sufficient weight to set aside the presumption against residential development outside Development Limits.
  2. The proposed dwelling is contrary to Policy L2 and Policy L10 of the Hambleton District Wide Local Plan (1999) due to the inadequate existing screening which would result in adverse effects on the character and appearance of the countryside.

**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 CP3 - Community assets  
Core Strategy Policy CP6 - Distribution of housing

Core Strategy Policy CP4 - Settlement hierarchy  
 Core Strategy Policy CP8 - Type, size and tenure of housing  
 Core Strategy Policy CP9 - Affordable housing  
 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 DP10 - Form and character of settlements  
 Development Policies DP13 - Achieving and maintaining the right mix of housing  
 Development Policies DP30 - Protecting the character and appearance of the countryside  
 Development Policies DP32 - General design  
 Development Policies DP33 - Landscaping  
 Development Policies DP43 - Flooding and floodplains  
 Interim Guidance Note - adopted by Council on 7th April 2015  
 Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015  
 National Planning Policy Framework

#### **4.0 CONSULTATIONS**

- 4.1 Thirkleby Parish Council – No objection: the application is in outline form and the site is within the boundaries of the village and is infill between existing buildings.
- 4.2 Highway Authority – The agent should indicate the intended access point detailing visibility splays in accordance with Manual for Streets Guidance.

Whilst it is noted that Vicar Hill Lane is derestricted, given the width of the carriageway and that the lane is a no through road, along with other residential accesses leading off Vicar Hill Lane, the driven speeds at this location are substantially lower than 60mph.

Following a site visit, assessing visibility was difficult due to site frontage boundary hedge. Therefore I ask the applicant demonstrates visibility splays of 2.40 metres x 43.00 metres at the intended access point.

A plan has been submitted from the agent showing a visibility splay 2.40 metres set back from the road edge, with 43.00 metres each way being achieved in the existing verge. This does involve the removal of 25 metres of hedge on the applicant's land.

The final comments of the Highway Authority are awaited.

- 4.3 Yorkshire Water – A water supply can be provided under the terms of the Water Industry Act 1981. This proposal is in an area not served by the public sewerage network. In this instance, the application should be referred to the Environment Agency and the Local Authority's Environmental Health Section for comment on private treatment facilities.
- 4.4 Pipeline operators (SABIC) – No observations to make in this instance as the works will not affect the pipeline apparatus as the site lies beyond the outer zone.
- 4.5 Health and Safety Executive (PADHI+) – Consultation not required as the site lies beyond the outer zone of the Teesside to Saltend (Hull) Ethylene Pipeline.
- 4.6 Public comments – One objection and one letter of support have been received.

The objection states the proposal will involve overlooking into the property of Woodlands; there will be an invasion of privacy by the two-storey house, as Woodlands is a bungalow, and the value of the house will be decreased and will lose open views.

The letter of support advises that this will allow for a family home in the village. There has been a few infill developments in the village over the years and the proposal will benefit the village and community. The proposal is infill development and will blend in with the character of the village.

## **5.0 ANALYSIS**

- 5.1 The main considerations with respect to this proposal are (i) the principle of residential development at the site; (ii) the impact on the character and appearance of the settlement; (iii) the impact on residential amenity; (iv) highway safety; and (v) drainage.

### Principle of development

- 5.2 Little Thirkleby is defined as an Other Settlement within the updated Settlement Hierarchy. Other Settlements may be considered sustainable when considered as a cluster with other villages. The Cluster Village concept within the IPG states:

*“Cluster Villages should be comprised of nearby settlements, one of which may be a Service or Secondary Village, given the wider level of services available. If Other Settlements are to form a cluster, these must have a good collective level of shared service provision. Settlements should be linked to each other by convenient public transport, walking or cycling, where the combined settlements offer a range of services contributing to a sustainable community. This could include the sharing of facilities such as a school, post office, health facility or village shop. However it is unlikely to constitute a sustainable community if there are very few services or if there are significant distances (approximately 2km) or barriers between settlements (e.g. rivers with no crossing).*

- 5.3 The two kilometre distance is via road or footpaths and not as the crow flies. The northern edge of the Secondary Village of Bagby is approximately 3.5 kilometres away and the northern edge of the Secondary Village of Sessay is 4.6 kilometres away by road.
- 5.4 In light of the above, it is considered that Little Thirkleby does not form a sustainable community within a cluster of villages. It is therefore considered that the proposal is located in an unsustainable location.
- 5.5 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings. The development is for a single dwelling and is therefore considered to be small scale.

### Housing size, type and tenure

- 5.6 No indicative plan has been provided to understand the number of bedrooms for the dwelling. It has been stated in the application form that the dwelling would be two-storey. The detail of the proposals will be required at the Reserved Matters stage and will be tested against the prevailing policy at that time. A condition can be imposed to require compliance with the Local Development Framework policy CP8 and Supplementary Planning Document.

### The character of the village

- 5.7 Along with the remainder of criterion 2, IPG criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural environment and physical built form. This is consistent with other policies in the LDF. It is considered that one dwelling could be accommodated within the site that reflects the existing linear built form of the village.
- 5.8 The application site is located between two residential properties and immediately opposite a further property. The red line plan does not extend the built form eastward and reflects the curtilages of dwellings nearby. It is further acknowledged the proposal would not impact on the open character of the surrounding countryside and would not lead to coalescence of settlements.
- 5.9 In order to achieve the visibility splays, a 25 metre length of the western hedgerow is required to be removed. It is considered that this would cause some harm to the character and appearance of the village. However, some additional hedgerow planting could be accommodated within the site behind the visibility splay and other appropriate boundary treatments.
- 5.10 In light of the above, the proposal is considered to not have a detrimental impact upon the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.

#### Residential amenity

- 5.11 It is likely that one dwelling within the submitted red line plan would provide adequate external garden space to ensure the occupants would have an acceptable level of amenity. There is no reason why the scheme would result in an overbearing presence or cause a loss of light to neighbours. The issue of residential amenity particularly privacy is to be addressed the reserved matters stage.

#### Highway safety

- 5.12 Criterion 5 of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure.
- 5.13 A plan has been submitted from the agent showing a visibility splay 2.40 metres set back from the road edge, with 43.00 metres each way being achieved in the existing verge. This does involve the removal of 25 metres of hedge on the applicant's land.
- 5.14 The site has capacity of accommodating on-site turning and car parking. It is considered that the proposal would not be detriment to highway safety.

#### Flood risk and drainage

- 5.15 The application site is located in Flood Zone 1 where land is assessed as having a less than 1 in 1000 annual probability of river or sea flooding (low probability). The site has been assessed as being at low risk from other forms of flooding.
- 5.16 Foul water would be disposed of via a package treatment plant and surface water via a soakaway. The exact details of which can be agreed by planning condition.
- 5.17 There is no evidence to suggest that the demands on the infrastructure of the village arising from the development (in respect of drainage or any other matter) would be so great that the infrastructure would be unable to cope with the additional development or cause harm to the amenity of the village.

#### Land contamination

- 5.18 The application has been accompanied by a preliminary assessment of land contamination. This does not identify any potential sources of contamination on the form and therefore the risk of contamination affecting the development or end users is considered to be low.

#### Planning balance

- 5.19 Consideration has been given to the benefits of providing an additional home, the social and economic gains that can be derived from new housing. This is to be weighed against the harm as set out above in terms of development in an unsustainable location.

### **6.0 RECOMMENDATION:**

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The proposed new dwelling would be located in a village that is identified as an Other Settlement in the revised Settlement Hierarchy for Hambleton at Local Development Framework Policy CP4. Little Thirkleby does not form a sustainable community within a cluster of villages. The proposal therefore is therefore contrary to Policies CP1, CP2 and CP4 of the adopted Hambleton Local Development Framework and the National Planning Policy Framework.