

Parish: Appleton Wiske
Ward: Appleton Wiske & Smeatons
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Committee Date : 27 June 2019
Officer dealing : Ms Helen Ledger
Target Date: 17 May 2019
Date of extension of time (if agreed): 02 July 2019

19/00689/FUL

Construction of a detached dwelling at Former Little Hornby Farm Hornby Road Appleton Wiske North Yorkshire for Mr & Mrs J Adams.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located at the western end of Appleton Wiske, accessed off Hornby Road, which leads to Hornby and Great Smeaton. There are several detached properties on the same side of the road, which extend out along the roadside, into the wider countryside. The development to the east of the site extends further back from the roadside, and includes some larger scale agricultural buildings and one dwelling, Green Acres.
- 1.2 The site is currently a vacant former agricultural field and is bordered by a hedgerow to the north and what was, until its recent demolition a semi-detached former farmhouse to the front of the site. The rear part of the site forms part of the wider farmland and includes a stable block also to be demolished. The land is relatively low lying and runs parallel with the residential development to the front of the site.
- 1.3 This full application is submitted for the development of one detached dwelling on the land to the rear of the site adjacent the hedge line.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 The site has been subject to outline approval previously, 16/02735/OUT, that included access and scale. At reserved matters stage the applicant wanted to change the scale of the dwelling approved and converted the application to a full application.
- 2.2 16/02735/OUT - Outline application for one replacement dwelling and construction of two new dwellings with new vehicular access - granted 25.08.2017
- 2.3 18/02411/FUL Creation of vehicular access to proposed site in association with application 16/02735/OUT – granted 22.01.2019
- 2.4 18/02710/REM - Approval of reserved matters for design, appearance, scale, siting and landscaping relating to Planning Application 16/02735/OUT Outline application for one replacement dwelling and construction of two new dwellings with new vehicular access - withdrawn to convert to a full application.
- 2.5 In a separate application the neighbouring site to the west gained approval under 19/00051/REM - Application for the approval of reserved matters (appearance, landscaping, layout & scale) following outline approval 17/00308/OUT for part demolition of dwelling and construction of two dwellings with new vehicular access - granted 18.03.2019
- 2.6 This is the reserved matters on the neighbouring site 17/00308/OUT - Outline Application for part demolition of dwelling and construction of two dwellings with new vehicular access - granted 18.08.2017

3.0 RELEVANT PLANNING POLICIES:

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

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 of housing
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
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 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
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Appleton Wiske Parish Council - the Parish Council has no observations.
- 4.2 NYCC Highways - no objections subject to the use of conditions to cover discharge of surface water, verge crossings, on-site parking, mud on the highway and construction traffic and materials storage. The condition wording and triggers have been agreed with the applicant.
- 4.3 Northumbrian Water - no comments.
- 4.4 Environmental Health: contaminated land - Based on the Phase 2 Site Investigation Report (Chevin Geoenviron Associates Ltd, Job Ref C0263, 27th February 2019) submitted which does not identify any significant risks from contamination and no further works are recommended. These findings are agreed and therefore no objections to the development.
- 4.5 Environmental Health: resident services - This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. No objections.
- 4.6 Site notice posted - 09.04.2019 and expired - 30.04.2019. No public comments received.

5.0 ANALYSIS

- 5.1 The issues for consideration are i) the principle of development in this location, ii) the impact on the character and appearance of countryside and setting of the village, (iii) the impact on the amenity of neighbouring occupiers, and (iv) highway safety.

Principle

- 5.2 The principle of development in this location has previously been established through the grant of planning permission in relation to 16/02735/OUT. This application is now being made in full rather than as a Reserved Matters application as the applicant is seeking to change the scale of the dwelling from that set out in the approved Outline.

It is considered that there has been no significant change in policy since the approval of the Outline. However, for completeness the issues around the policy position with regard to the development of this site are set out in brief in the following paragraphs.

- 5.3 The site is located outside the Development Limits of Appleton Wiske. Policy DP9 states that development will only be granted for development beyond Development Limits "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 National Planning Policy Framework (NPPF) first published in March 2012 and revised this year in February. 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".

- 5.4 To ensure consistent interpretation of the NPPF alongside Policies CP4 and DP9, 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.

- 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 reproduced in the IPG, Appleton Wiske is identified as a Secondary Village. This status recognises its range of services and facilities and confirms that it is considered a sustainable settlement capable of accommodating small scale development. The proposal would therefore meet criterion 1 of the IPG, in that it is located where it will support local services.

Character and appearance

- 5.7 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."

- 5.8 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.9 The National Planning Policy Framework Planning supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.10 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings. In this instance the proposal is for one dwelling. This scale of development is considered to be an acceptable scale in relation to the guidance and the size and form of Appleton Wiske, whilst noting that this development effectively forms part of a wider development of three units, set out in the Outline permission.
- 5.11 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 character of the area is influenced by the linear residential form along the roadside and the more informal and low key agricultural development to the rear, which integrates with the wider countryside, avoiding the need for harsh boundary treatments. It was noted in determining the previous outline application, 16/02735/OUT, that it was considered unlikely that a standard residential dwelling type would achieve a suitable design solution, with a more appropriate approach taking cues from agricultural forms found in the locality. Therefore it is important that any development in this location responds positively to this edge of village character. This should be reflected in both the built form and the spaces around the buildings, ensuring a successful transition.
- 5.12 Throughout the whole process the applicant has engaged with the local planning authority and made some significant changes to the design, layout and positioning of the proposal. Officers have sought to reduce the overall massing of the development and ensure that the design responds positively to the character of the area. Officers consider the final scheme to largely meet these requirements with a scheme which has resulted in a relatively traditional barn style design, using brick and design cues from similar structures in the locality. The more domestic housing features, such as external chimney and fenestration styles, have been amended to better reference agricultural styles. Whilst the massing of the proposed development remains significant, the design is generally considered to fit with the site and edge of village locality. The final choice of materials will all have a role to play in delivering a high quality design in accordance with policy DP32 and a materials condition is recommended. On balance it is considered that the design proposed now can adequately satisfy the requirements of IPG criteria 3 and 4 and DP32.

Residential Amenity

- 5.13 Development Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight and that development must make provision for the basic amenity needs of occupants.
- 5.14 The main consideration has been the implications on the adjacent dwelling Green Acres, which is accessed from the same frontage and secondly the dwelling granted consent on farm land adjacent under 19/00051/REM and 17/00308/OUT.

- 5.15 The proposed dwelling is substantial but orientated towards the back of the site with principle elevation facing the road access into the site. The rear elevation and private amenity space would be set out to the north. The site is adequately separated from Green Acres by existing boundary treatments and orientated away from this property to reduce any impact on residential amenity.
- 5.16 For the dwelling recently approved adjacent, this is set further forward into the site away from the dwelling proposed in this application. Only one window at first floor level has the potential to look into the garden of the dwelling approved next door. Subject to adequate boundary treatments the windows at ground floor level would not overlook the neighbouring dwellings. Any over-shadowing is minimal given site layout and the orientation of the buildings and tracking of the sun.
- 5.17 It is considered this application would be able to comply with the requirements of Development Policy DP1 in terms of the impacts on residential amenity. It is also noted that the proposal has not received any representations from neighbours on this issue.

Highway Safety

- 5.18 Development Policy DP3 states that all proposals for new development must include provision for sustainable forms of transport to access the site, and within the development.
- 5.19 The local highway authority has considered the application and raised no objection to the proposals subject to conditions. The principle of the access to the development is considered to be acceptable. The proposed development is not considered to have any detrimental impact on road safety in the vicinity of the application site.
- 5.20 The proposed development is considered to have no detrimental impact on road safety and is considered to meet the requirements of Development Policy DP3.

Planning Balance

- 5.21 The principle of development in this location has previously been established. The proposed new dwelling, whilst significant in size is considered to be acceptable in this location. The design and form of the development is considered to meet the requirements of Local Development Framework policy and is considered acceptable. The scheme is found to result in social gains through the provision of new housing, the economic impact through the development would be small but positive and the environmental impacts as a consequence of the development are on balance found to be positive. No other material considerations would preclude a grant of planning permission. Overall the scheme is found on balance to be acceptable.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 2018:53/05rev F 2018:53/02rev G 2018:53revF 2018:53/04 rev G received by Hambleton District Council on 11 June 2019, 12 June 2019; unless otherwise approved in writing by the Local Planning Authority.

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples 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.
4. 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.
5. 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: (i) The crossing of the highway verge shall be constructed in accordance with Standard Detail number E6 Var. (ii) Any gates or barriers shall be erected a minimum distance of 12 metres back from the carriageway of the existing highway, and shall not be able to swing out over the existing highway. (iii) Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed and subsequently maintained thereafter in order to prevent such discharges. The existing gully within the footprint of the proposed access is to be removed and backfilled, and a new gully is to be constructed immediately to the east of the proposed access. (iv) The final surfacing of the proposed private access shall not contain any loose material that is capable of being drawn on to the existing public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
6. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing, drawing number 2018:53/05 revision F. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
7. 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 in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway 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 in consultation with the Highway Authority agrees in writing to their withdrawal.

8. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of: (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; (ii) on-site materials storage area capable of accommodating all materials required for the operation of the site; and (iii) the approved areas shall be kept available for their intended use at all times that construction works are in operation.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on unless otherwise agreed in writing by the Local Planning Authority.
3. 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 Policy(ies) DP30 and DP32.
4. In the interests of highway safety.
5. To ensure a satisfactory means of access to the site from the public highway, in the interests of vehicle and pedestrian safety and convenience.
6. To provide for adequate and satisfactory provision of off-street accommodation for vehicles, in the interests of safety and the general amenity of the development.
7. To ensure that no mud or other debris is deposited on the carriageway, in the interests of highway safety.
8. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.