

Parish: Aiskew

Ward: Bedale

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Committee Date : 22 August 2019

Officer dealing : Mrs H Laws

Target Date: 19 April 2019

Date of extension of time: 28 August 2019

19/00122/FUL

Demolition of existing outbuildings and construction of 2 dwellings with parking and ancillary works as amended by plans received by Hambleton District Council on 23 May 2019.

**at The Greyhound Aiskew Bank Aiskew North Yorkshire
for Mr David Fell.**

**This application is referred to Planning Committee at the request of the Ward Member
Cllr Noone**

1.0 SITE, CONTEXT AND DESCRIPTION

- 1.1 The dwellinghouse known as The Greyhound fronts onto Bedale Road at the western end of the village of Aiskew on the northern side of the A684.
- 1.2 Vehicular access is on the northern side of the dwelling at the north eastern corner of the application site. To the rear of the dwelling is a large garden with detached single storey outbuildings which are to be demolished. The garden is bounded to the west and to the south by dwellings on Ascough Wynd, a cul-de-sac housing development; the rear of these properties face the boundary of the application site. To the south is an additional access from the hammerhead turning off Ascough Wynd, which ends at the boundary of the application site. To the north of the application site lies two storey detached dwellings that front onto Back Lane.
- 1.3 The outbuildings currently accommodate a business use. It is proposed to remove the outbuildings and construct two dwellings. The application has been amended from 4 two storey dwellings due to concerns regarding overdevelopment, an adverse impact on neighbouring amenity, and lack of parking. The scheme would be provided within a single L-shaped building at both two storey and single storey height. The dwellings would each have four bedrooms and the first floor accommodation is provided within the roofspace and served by rooflights.
- 1.4 The dwellings would be finished in brickwork with pantiled roofs and upvc windows.
- 1.5 The existing dwelling does not lie within the application site boundary.
- 1.6 The access would lead to an L-shaped driveway with parking provided adjacent to The Greyhound (three spaces) and a single space for Plot 1. Two further spaces for plot 1 would be provided within a central part of the site adjacent to the front gardens of the dwellings. Three spaces for Plot 2 would be provided in the form of a long driveway with no turning space.

2.0 RELEVANT PLANNING HISTORY

- 2.0 09/00740/OUT - Outline application for the construction of 2 dwellings. Permission granted 14/5/2009.
- 2.1 15/01004/FUL - Demolition of existing outbuildings, construction of 4 new dwellings and alterations and subdivision of existing dwelling into two dwellings with ancillary works. Application withdrawn 17/5/2016.

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 CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
Development Policies DP32 - General design
Development Policies DP43 - Flooding and floodplains

4.0 CONSULTATIONS

4.1 Parish Council - no observations

4.2 NYCC Highways Authority - the County Council as Local Highway Authority still has concern about the standard of the vehicular and pedestrian access arrangements to and from the site and the visibility splays at the junction with Aiskew Bank but in this instance conditions are recommended.

4.3 Yorkshire Water Services - conditions recommended in order to protect the local aquatic environment and YW Infrastructure.

4.4 Historic England - no comments

4.5 Natural England - no comments

4.6 MOD - no comments received (expiry date for representations 25/3/2019)

4.7 Site notice/local residents - Objections have been received from 11 local residents whose concerns are summarised as follows:

- Inaccuracy of drawings with regard to boundary references
- No consideration of existing amenities - loss of privacy
- Inadequate access and car parking
- Inadequate drains and services
- External lighting causing annoyance
- Disturbance resulting from construction work
- Unacceptable level of density
- Loss of light and overshadowing
- Overdevelopment of a small site
- Presence of bats at The Greyhound
- More acceptable if all single storey

Following receipt of amended plans further comments have been received from three neighbouring residents reiterating their earlier comments objecting to the development.

5.0 ANALYSIS

- 5.1 The issues to consider are: (i) the principle of residential development in this location; (ii) the loss of a business use from the site; (iii) the impact on the character and appearance of the village; (iv) the design of the proposed development; (v) the effect on residential amenity; and (vi) highway safety.

Principle of development

- 5.2 Policy CP4 allows development in principle if the site lies within the Development Limits of settlements that are defined in the Settlement Hierarchy, and which is of a scale and nature appropriate to secure the sustainability of each settlement. Aiskew is identified as a Service Centre that has a full range of community and service facilities and therefore a residential development in this location is considered acceptable in principle.

Loss of existing business use

- 5.3 The existing business remains in operation at the application site, but on a small scale. The business has otherwise relocated to an office site in Carthorpe along with an industrial unit in Exelby and is intending to expand in Exelby and Carthorpe.
- 5.4 LDF Policy DP17 encourages the safeguarding of employment sites, although the policy includes several criteria where the loss of such a site may be acceptable. In this instance, it is considered that the operation of the business operating as sales, hire and refurbishment of industrial cleaning machinery, in such close proximity to residential properties results in the potential for a significant level of disturbance, and therefore the removal of this business is acceptable.

Character and appearance of the village

- 5.5 Not all sites in such locations are suitable for development and consideration must be given to the layout and design and the potential impact of a proposal on features of acknowledged importance such as the character and appearance of the street, the amenity of neighbouring residents and highway safety. The existing buildings are of no merit and there are no objections to their removal.
- 5.6 Outline planning permission was granted in 2009 for the construction of two dwellings on the land to the rear of The Greyhound, although this has expired. This scheme would have resulted in a total of 3 dwellings at the site, including The Greyhound. It is now also proposed to create a total of 3 dwellings (two additional dwellings) within the same site area.
- 5.7 The proposed development has a layout that would be in keeping with the outbuildings' scale and character of the existing buildings, creating a rear courtyard that has the appearance of ancillary development associated with the main dwelling.
- 5.8 In conclusion, it is considered that the scale, form and character of the development proposed is acceptable in this location.

Design

- 5.9 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."

- 5.10 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.
- 5.11 The National Planning Policy Framework Planning supports this approach and, at paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.12 The proposed replacement building would be much larger in scale than the existing buildings and therefore have a greater impact on the appearance of the surrounding area. The design of the proposed building reflects the outbuilding style of the existing arrangement of buildings. The Greyhound, as the principal dwelling, remains the dominant structure and the new L-shaped building would create a courtyard appearance serving characteristic ancillary buildings. The different elements of the building break up the bulkiness of the development.
- 5.13 The proposal is considered to present a high standard of design, which is traditional in its form and character with detailing and materials that respect the local vernacular. It is considered the proposal complies with Policies CP17 and DP32.
- 5.14 The proposed development includes rear amenity space, which although is not significant, is adequate to provide space for sitting out and children's play.

Effect on residential amenity

- 5.15 Policy DP1 of the Development Policies DPD stipulates that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight. All development should be well designed by maintaining the level of amenity currently enjoyed by established residential properties.
- 5.16 The application site is approximately 2m higher than the ground level of the dwellings on Ascough Wynd to the west and at a distance of approximately 15m. The scheme proposes that the ridge heights above ground level of the proposed dwellings are below the ridge height of the existing dwellings. Due to the relatively low height of the development with first floor accommodation served by rooflights, it is unlikely that overlooking would occur to the properties to the west on Ascough Wynd. The dwellings on Ascough Wynd lie at a much lower ground level than the rear of their gardens and privacy would be protected by the existing boundary wall/fence in this position, the retention of which could be the subject of a condition. It is considered that the relationship to existing properties would not result in an overbearing impact or increased sense of enclosure for the existing residents. It is concluded that the proposed development will have no significant adverse impact on neighbouring residential amenity.

Highway safety

- 5.17 The proposed dwellings each have three parking spaces allocated to them, which complies with Highway Authority requirements.
- 5.18 The current access lies on the northern side of the existing dwelling and is bounded by the wall of the house and the stone garden wall/fencing of the neighbouring dwellings. The Highway Authority has confirmed that the required visibility of 2m x 43m cannot be achieved. It is not proposed to alter the access. The access currently serves the

dwelling and the outbuildings; the proposal is for the access to serve 2 additional dwellings and is therefore not considered to be a significant intensification of use, compared to the potential for commercial use of the site. The Highway Authority therefore, although expressing concern, does not offer any objections to the proposed development.

Planning Balance

- 5.19 The proposed amended scheme overcomes many of the initial concerns regarding overdevelopment and overshadowing and is unlikely to have an unacceptable impact on the residential amenity of the neighbouring properties. The proposal would create additional dwellings in a sustainable location, without causing harm to the form and character of the village and without an intensification of the use of the existing access giving rise to harm in terms of highway safety. 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 conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. 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.
3. All new, repaired or replaced areas of hard surfacing shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.
4. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0800 hours and 1800 hours Monday to Friday, 0800 hours to 1300 hours Saturday and there shall be no such work on Sunday or on any public holidays.
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 to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - c. The existing access shall be improved by being resurfaced for a minimum distance into the site of 6 metres measured

from the back of the adjacent footway e. Any gates or barriers shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

6. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing Reference Number 06 Revision D and 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.
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. 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.
8. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
 - a. the parking of vehicles of site operatives and visitors
 - b. the loading and unloading of plant and materials
 - c. the storage of plant and materials used in constructing the development
9. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered F024-02 06D; 07B; and 9 received by Hambleton District Council on 22 February and 23 May 2019 unless otherwise approved in writing by the Local Planning Authority.
10. Prior to the commencement of development on site, other than initial site clearance works and the formation of the access, full site levels shall be submitted to and approved by the Local Planning Authority. These details shall show the existing and proposed ground levels across the site, along with proposed finished floor levels, eaves and ridge heights. The development shall then be implemented in accordance with the approved details.

The reasons for the above conditions 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. 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.

3. To reduce the volume and rate of surface water that drains to sewers and watercourses and thereby not worsen the potential for flooding in accordance with Hambleton LDF Policies CP21 and DP43.
4. In order to protect the amenities of residential property in the locality in accordance with LDF Policies CP1 and DP1.
5. In accordance with LDF Policies CP2 and DP4 and 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. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
7. In accordance with LDF Policies CP2 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
8. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
9. 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 Policies.
10. In order that the development is undertaken in a form that is appropriate to the character of the area and without significant detriment to local residential amenity and to accord with the requirements of Development Policies DP1 and DP32.