

Parish: East Harlsey
Ward: Osmotherley & Swainby
4

Committee Date : 19 September 2019
Officer dealing : Ms Helen Ledger
Target Date: 8 August 2019
Date of extension of time: 23 September 2019

19/01306/FUL

**Construction of a detached dwelling.
at Brindlewood East Harlsey North Yorkshire DL6 2DB
for Mr Gareth White.**

1.0 SITE AND DEVELOPMENT:

- 1.1 The site is located to the north west of the village of East Harlsey, on an open field associated with the dwelling known as Brindlewood directly to the east. It is adjacent the East Harlsey to West Rounton road. The site is in a slightly elevated position above the highway and currently behind a high hawthorn hedge. The application site is stated as being 773 sq metres in size and currently used as a grass paddock.
- 1.2 The proposal is the construction of a 4 bedroom detached dwelling with new access off the main class C road and submitted as a full application. The submitted design shows a one and a half storey dwelling (rooms in the roof space) with a height of 3.912m to eaves, with a ridge height of 7.479m.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY:

- 2.1 15/01032/MBN Prior approval to change of use from an agricultural building to a dwelling with associated operational development. Granted 19.06.2015
- 2.2 16/00612/FUL Construction of two two-storey detached dwellings and associated parking at Land Adjacent To Brindlewood - Refused for the following reasons.
1. Due to their design and location the proposed dwellings would have a crowded and urbanised appearance out of keeping with the village edge location and would not reflect the form and character of the village contrary to Local Development Framework Policy CP17 and DP32 and Interim Policy Guidance criterion 2.
2. In the absence of evidence to the contrary, the proposal would give rise to unacceptable harm to domestic amenity due to noisy activities at an adjacent business premises, contrary to Local Development Framework Policies CP1 and DP1.
- 2.3 16/02233/OUT - Outline planning application for the construction of a dwelling house with details of access and layout (all other matters reserved) Land To The North Of East Harlsey Telephone Exchange, East Harlsey
- 2.4 18/01690/REM - Reserved Matters application for the construction of a dwelling house, Land To The North Of East Harlsey Telephone Exchange, East Harlsey.

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 CP4 - Settlement hierarchy
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 DP10 - Form and character of settlements
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
National Planning Policy Framework
Interim Guidance Note - adopted by Council on 7th April 2015

4.0 CONSULTATIONS:

- 4.1 East Harlsey Parish Council - supports the planning application and wishes to see the application approved
- 4.2 NYCC Highways - Initial concern expressed on the limited visibility splays, however a revised plan was submitted to show that the required sightlines can be achieved. Final response no objections subject to conditions.
- 4.3 Yorkshire Water - No comments
- 4.4 Environmental Health Service (resident services) has no objections.
- 4.5 Site notice posted and application advertised as a development plan departure (expired 09/09/2019), no public comments received.

5.0 ANALYSIS:

- 5.1 The main issues to consider are i) the principle of development, ii) residential amenity iii) the design and iii) highway safety.

Principle

- 5.2 East Harlsey is a village not included in the settlement hierarchy set out in policy CP4 in the 2008 Core Strategy. In response to the updated national planning policy guidance contained in the NPPF, in 2015 the Council adopted an Interim Policy Guidance note (IPG) which updates the hierarchy and includes East Harlsey as a secondary village. The Guidance provides for a more flexible consideration of new development at the edge of settlements. Accordingly, the main consideration is whether the development can comply with the criteria of the interim guidance.
- 5.3 The IPG allows 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.

- 5.4 The inclusion of East Harlsey in the updated settlement hierarchy as a secondary village indicates it is considered to be a reasonably 'sustainable' location where an additional dwelling can be considered to support local services, which in this case include a pub, and a village hall.
- 5.5 As a single dwelling the proposal is small in scale. The site is adjacent existing buildings, albeit on the edge of the village. The proposed development is considered to reflect the linear form of the settlement with access from the main road. The site relates well to the built form of the village adjacent Brindlewood and Goosecroft to the west.
- 5.6 At the west end of the village development follows the road north with a series of detached dwellings with individual access from the road frontage and only one dwelling deep. The proposal here would follow that building line and layout and complements the existing character and built form. It is noted the proposed development sits directly opposite Goosecroft House and the planning approvals granted under 16/02233/OUT and 18/01690/REM, for a detached bungalow on a parcel of land to the north of the telephone exchange. Development has previously been approved, incrementally extending the village in a northerly direction to the western end of the settlement. It is also noted site access is within the 30mph speed limit signs. It is found that the proposal responds well to the form and character of the northern part of the village of East Harlsey and as such the requirements of criterion 2 are met.
- 5.7 The site is a small paddock, which has some relationship to the built form of the village. The plans state hedges will be retained, save the elements to be removed to ensure safe vehicular access, and it is considered that the proposal would not be detrimental to the natural environment. The site is not within the setting of any Listed Buildings and overall would not be harmful to the historic or built environment. The design shows a dwelling of traditional form and proportion sympathetic to the existing character of the settlement and therefore it is considered that the proposed development can comply with criterion 3.
- 5.8 The site is on the edge of the village, and as stated is opposite other dwellings and a recently granted permission for a dwelling adjacent. This site is bordered to the north and west by the property known as Brindlewood and its access and as a result does not have a direct relationship with the wider countryside surrounding the village. It is considered that the requirements of criterion 4 are met.
- 5.9 There is no evidence that the proposal cannot be accommodated within existing infrastructure.
- 5.10 The submitted details show a dwelling which reflects the relatively spacious local settings and the range of other detached dwellings in the vicinity including the recently approved dwelling opposite. As such it is considered that this scheme is compliant with policy DP32.
- 5.11 Overall, the proposal is acceptable in the terms of the Interim Policy Guidance.

Residential Amenity

- 5.12 The proposal is set within a substantial plot, with a site area of 733sq m and a gross footprint of the ground floor of the proposed dwelling, excluding the open porch of 147m² and the gross footprint of the first floor of the dwelling is 129m². The dwelling has its principle elevation facing the road with parking and turning areas to the north. It is set within its plot to the south west of Brindlewood and separated to the south from Town End Farm

by the private drive accessing these two dwellings. The plans state the existing hawthorn hedge will be retained to the east fronting the road.

- 5.13 A cross section drawing has been supplied to help consider the impact on the dwelling opposite, Goosecroft, which although separated by the main road is at a lower level than the application site. The plan shows there would be approximately a 3m height difference between the two dwellings with a horizontal separation of 28 metres, which includes the highway, verges and any vegetation. This distance is considered sufficient to prevent any significant impact on loss of privacy. It is therefore concluded the proposal will have no significant impact on residential amenity and the proposed development complies with policy DP1.

Design

- 5.14 The plans show a traditional brick built double dormer dwelling with wooden porch and red pantile roof. The fenestration design is traditional with stone cills and uPVC fittings. There are a broad range of other dwelling types and materials in the locality, and this site is away from the historic core of the village. Goosecroft house has very recently been enlarged and significantly remodelled in a modern design and finish. On balance the design and materials strike a good balance between the traditional and modern and satisfactorily reflect the location and setting. It is considered that the proposal complies with policies CP2, DP3 and DP32.

Highway Safety

- 5.15 The highway authority has not raised an objection and given recent traffic analysis advises on the appropriate visibility splays for the speed and traffic flow. The applicant has submitted a revised plan and confirmed these are achievable.
- 5.16 The site offers adequate parking and turning areas to the north to allow for sufficient safe access into and within the site.

Planning Balance

- 5.17 Due to its size and location the site is capable of accommodating a dwelling without unacceptable harm to the surroundings or the amenities of neighbours or road safety and is able to comply with the above policies. Therefore the proposal can meet all the criteria of the Interim Policy Guidance Note and relevant policies within the Local Development Framework.

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 120:19/10 received by Hambleton District Council on 08 August 2019 unless otherwise approved in writing by the Local Planning Authority.
 3. The existing boundary hedge along the west boundary of the site, save the necessary reduction to allow safe highway access, shall not be removed and shall

not be reduced below a minimum height of 2 metres; other than in accordance with details that have been submitted to, and approved by, the Local Planning Authority.

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 the approved details and Standard Detail number E50.

(ii) Any gates shall be erected a minimum distance of 4.5 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 on to the existing highway shall be constructed, and then maintained thereafter, in order to prevent such discharges.

(iv) The final surfacing of any 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. 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 45 metres by 2.4 metres to the north of the proposed access (towards West Rounton), and 43 metres by 2.4 metres to the south of the proposed access (towards the centre of the village of East Harlsey), as shown on drawing number 120:19/01 revision C. 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. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing, drawing number 120:19/01 revision C. Once created these parking 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 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.

9. 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. 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) DP23.
3. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
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. In the interests of road safety.
7. 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.
8. 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.