

Parish: Carthorpe
Ward: Tanfield
4

Committee Date: 14 November 2019
Officer dealing: Mrs H M Laws
Target Date: 21 October 2019

19/01322/FUL

Construction of a dwellinghouse with parking, bin storage, garden and wildflower meadow as amended by plans received by Hambleton District Council on 3 and 4 October 2019

At: Long Garth Carthorpe North Yorkshire DL8 2LL

For: Long Garth Enterprises Ltd

This application is referred to Planning Committee at the request of Councillor Webster

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 Long Garth is a detached bungalow that lies towards the western end of the village on the southern side of the road. To the rear of Long Garth lies a two storey detached block of offices, granted planning permission in 2004. Access to both properties is shared and leads to outbuildings at the rear of the bungalow and then beyond into the car park of the offices. A driveway leads along the western side of the office building to an additional parking area. An area of grassland lies to the south of the hard surfaced car park with no physical boundary separating the two elements. Part of the hard surface and all of the grassed area (approximately 0.1 hectares in total) forms the application site, which is bounded to three sides by mature hedging.
- 1.2 It is proposed to construct a detached two storey dwelling on the plot. Amended plans have moved the position of the dwelling closer to the office building and altered the design. The dwelling, as amended, would have an L-shaped footprint comprising an open plan kitchen/dining/living room and a ground floor bedroom with ensuite. Two additional bedrooms and a bathroom are proposed at first floor. The roof would be steeply pitched with a low eaves height, providing the first floor accommodation within the roofspace; all window openings would be set within a minimum 95mm reveal. The dwelling would be finished in brickwork with a grey corrugated zinc roof and painted timber windows.
- 1.3 Access to the site would be via the existing shared access and driveway serving the bungalow and the office car park. A garage is not proposed but two parking spaces would be provided at the north western corner of the plot. A hedgerow would delineate the boundary between the car park and the garden of the dwelling. The garden of the dwelling would lie principally to the rear and the side; the remaining area of grassland would be retained as a wildflower meadow, separated by estate railings. Gates would be provided from the car park, allowing access through the proposed garden to the wildflower meadow beyond.

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 04/00530/FUL - Revised application for the construction of an office block to allow the provision of a fire escape. Permission granted 5/5/2004.

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 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 DP4 - Access for all
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council - comment as follows:

- Carthorpe is a linear village and as such any development should remain linear
- The proposed site is outside the boundaries of the village & not on appropriate land - the proposal talks of previously developed land but the site is agricultural land & buildings
- The dwelling does not meet any un-met housing need within the village.
- The proposed property exceeds the footprint of the old agricultural buildings.
- Access appears narrow and may limit emergency vehicles. Highways assessment requested.
- Consideration must be given to the capacity of existing utilities - water and sewage and to the management of surface water.
- Bats in the village are less than 1.6km away from the site.
- Wildflower meadow is outside the planning restriction.

The amended plans do nothing to assuage these concerns; additional comments include the following:

- The proposed site is a greenfield site, which once had agricultural buildings on it some years ago and is not a brownfield site.
- The proposed car parking is designated for use by Long Garth offices.
- Vehicular access is restricted in width.

4.2 NYCC Highways – No objections, conditions recommended.

4.3 NYCC Footpaths Officer - No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development.

4.4 Yorkshire Water - on the basis of foul water only being drained to the public foul sewer, and surface water drainage connected to the private system that serves Longfield House, no observation comments are required from Yorkshire Water.

4.5 HDC Environmental Health Officer - I have some concern regarding the potential for occupiers to be disturbed by noise from air-conditioning units located on the gable of the adjoining office building. Prior to determination I would recommend that an assessment be submitted demonstrating the impact of these units on the proposed development. BS 4142: 2014 (as amended) provides an acceptable methodology for carrying out such an assessment.

4.6 Site notice/local residents - one objection has been received from a local resident, which is summarised as follows:

- The land is not previously developed land as stated within the application as it is agricultural land
- The general principal of residential development in Carthorpe is parallel and close to the highway. In this manner the development would be entirely out of character and not in keeping with the rest of the village.
- There is no shortage of available homes in Carthorpe where permission has been granted for a further 6 dwellings, all close to and parallel to the highway
- Its present form would set a residential property substantially outside the present developed area of the village and substantially to the rear of every other residence existing, thus forming a substantial incursion to agricultural land
- The drawings submitted to show visibility splays and swept arcs do not show or take account of new build properties already constructed directly opposite the site entrance. At the same time no reference has been made to the increased development along the highway as a result of other approved builds not yet commenced, the increased number of access points to the highway or the likelihood of a significant increase in parked vehicles on the highway.
- Environmental statements suggest enhancements with a wild flower meadow, this already exists naturally in close proximity so would not offer any enhancements.
- The amended scheme is not considered to address these concerns.

5.0 ANALYSIS

5.1 The main issues for consideration in this case relate to (i) the principle of a new dwelling in this location outside Development Limits; (ii) an assessment of the likely impact of the proposed dwelling on the character and appearance of the village and the rural landscape; (iii) neighbour amenity; and (iv) highway safety.

The principle of development

5.2 The site falls outside of Development Limits as Carthorpe 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 such locations 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 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. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby".

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 is intended to bridge the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG has brought in some changes and details how Hambleton District Council will now consider development in and around smaller settlements and has included an updated Settlement Hierarchy.

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 settlement hierarchy contained within the IPG, Carthorpe is defined as an 'Other Settlement'; within the IPG small scale development adjacent to the main built form of the settlement "will be supported where it results in incremental and organic growth". 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 adjacent to the village of Carthorpe which is identified in the IPG as an example of a cluster village together with Burneston. The two villages have long been linked economically and socially which continues to the present day. Collectively they have churches, a primary school, two pubs and a shop. Connectivity is good between the two villages which are readily accessible on foot or bicycle as well as by car. Carthorpe is less than a kilometre distance from Burneston and the application site is a further 0.5km through the village. Criterion 1 would be satisfied.

Character and appearance of the village and the rural landscape

- 5.6 It is important to consider the likely impact of the proposed development with particular regard to criteria 2, 3 and 4 of the IPG. Proposals must be small in scale and provide natural infill or extension to an existing settlement and also conform to other relevant Local Development Framework Policies.
- 5.7 Prior to the construction of the office building on the site, the land to the rear of Long Garth accommodated a working farm, with the agricultural buildings set out in a linear form at right angles to the village street. This linear farmyard formation is found at other locations within and on the edge of the village and so is characteristic of the locality. The linear nature of the office block re-creates this form to some degree.
- 5.8 The current planning application has been amended with the aim of recreating the historic layout of the farmstead thereby positioning the dwelling on the site of the former pig housing and Dutch barn. The position of the dwelling beyond the office block aims to reflect the linear form of the historical farmstead.
- 5.9 Carthorpe is traditionally a village with all its residential properties fronting onto a village street and with very few examples of backland development. Backland development is not always unacceptable but in this instance, the proposed development would result in the dwelling being positioned directly to the rear of the two storey office building, itself slightly incongruous, with a narrow shared driveway adjacent to the domestic curtilage and, as a third row of development protruding into the countryside, would be out of context with its surroundings. The aim of the IPG is to enable the village to evolve in a way that represents the traditional pattern of growth resulting in buildings that are appropriate to their setting.

- 5.10 The examples of backland residential development within the village are few and are not similar to the proposed development. This form of development is not therefore commonly found within Carthorpe and the development of the application site would be of detriment to the form and character of the village, contrary to LDF Policies CP17 and DP32, which require new development to respect local character and distinctiveness.
- 5.11 It is considered that the development of this site would not respect the existing built form and character of the village and would be contrary to CP17, DP32 and criteria 2 of the IPG.
- 5.12 The site is used partly in association with the office building as car parking and partly undeveloped grassland. Although the undeveloped part is not physically separate from the car park it does not have the appearance of being a part of the village. It has more in keeping with the adjacent countryside as part of the rural landscape. The in-depth linear form, characterised by agricultural development in the locality is not considered to be appropriate for residential development, which would extend domestic characteristic, activity and paraphernalia into the rural landscape.
- 5.13 The inclusion of a wildflower meadow beyond the proposed domestic curtilage would not require planning permission to undertake and, in any event, would not have a detrimental impact on either the built form of the village or the openness of the surrounding countryside. However, nor is its inclusion in the application considered to offset the harm caused to the character of the area.
- 5.14 It is considered that the proposed residential development of this site would have a detrimental impact on the openness of the surrounding rural landscape and would therefore be contrary to LDF Policies DP16 and DP30.

Design

- 5.15 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."
- 5.16 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.
- 5.17 The National Planning Policy Framework supports this approach and, at paragraph 130, 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.
- 5.18 The proposed dwelling has been designed with its scale, form and detailing taking inspiration from an existing redundant farm building that lies on the edge of the next village of Burneston. The roof of the dwelling would be steeply pitched with low eaves to provide the first floor rooms within the roofspace. The design is of high quality and would be acceptable in another location where the context is appropriate. The development in this location does not relate to its surroundings and the local context, which is an overtly rural landscape set beyond an office building with adjacent car park and would therefore be contrary to Policies CP17 and DP32.

Impact on the amenity of neighbouring occupiers

- 5.19 LDF Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight.
- 5.20 The position of the site is such that it would allow for a design to achieve satisfactory levels of separation and avoid overlooking and overshadowing. The effect of an additional household served from the existing access is unlikely to have a significant impact on the amenity of the residents of Long Garth.
- 5.21 The existing car park lies immediately adjacent to the position of the proposed dwelling and the amended layout would result in cars being parked within a few metres of the ground floor and one of the first floor bedrooms. The vehicles parked in these spaces would be unlikely to be constantly changing and unlikely to be manoeuvring at unsocial hours. It is also likely that mitigation in the form of a solid barrier such as a wall or close boarded fence could achieve a satisfactory level of amenity and therefore it is not considered that this would result in an impact contrary to the requirements of Policy DP1.
- 5.22 The Council's Environmental Health Officer has raised some concern regarding the air conditioning units on the rear elevation of the office building and their potential to create noise disturbance for the future occupants of the proposed dwelling. It is considered that should there be potential for disturbance that there would be mitigation possible to minimise the impact and would not therefore be a reason to refuse planning permission.
- 5.23 It is considered that the development would not adversely affect the amenity of existing and proposed residents and would be in accordance with Policy DP1.

Highway safety

- 5.24 There would be adequate parking available for use in association with the proposed dwelling. The proposed access to the dwelling would be shared with the bungalow and the offices and would pass through the rear car park of the office building. Although the driveway to the side of the offices is quite narrow, it is adequate to serve the dwelling and there would be sufficient space for parking and turning.
- 5.25 There are no objections to the proposed development from the Highway Authority.

Planning Balance

- 5.26 The proposed development is outside any defined Development Limits and the applicant does not claim any exceptions under Policy CP4. Albeit that there would be some social and economic advantages through the provision of a new house, the economic gain from the residential development and future occupation would be limited. The harm to the form and character of the village and the countryside is substantial and this harm to the environment is not outweighed by the limited social and economic gains. There are no other material considerations that would outweigh the adopted LDF policies and refusal of the application is recommended.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reasons:

The reasons are:-

1. The proposed development is contrary to Core Policy CP4 of the Hambleton Local Development Framework and does not meet any of the exceptional circumstances for development outside Development Limits. It also fails to comply with the requirements of the Council's Interim Policy Guidance Note as the location does not respect the built form of Carthorpe by proposing development where it is considered not to be organic growth of the village, providing a natural infill to existing development or a natural extension to the built form.

2. All new development should respect and enhance the local context and be appropriate to its setting. It is considered that the proposal, by reasons of the backland site location, is out of context and character with the surroundings. The proposal therefore fails to respect the character of the local area and would result in a form of development that would have a detrimental impact on the surroundings, contrary to the high quality design principles of Hambleton Local Development Framework Policies CP17 and DP32.

3. The proposed development is contrary to Policies CP16 and DP30 of the Hambleton Local Development Framework, which requires development to preserve and enhance the District's natural assets and to respect the openness of the countryside. Due to the domestic character of the residential development, it would fail to respect the character and appearance of this rural countryside setting and the built form of Carthorpe and would therefore have a detrimental effect on the immediate environment.