

Parish: West Rounton
Ward: Appleton Wiske & Smeatons
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Committee Date : 12 December 2019
Officer dealing : Ms Helen Ledger
Target Date: 22 November 2019
Date of extension of time (if agreed): 15 December 2019

19/02033/OUT

**Outline application for the construction of one detached dwelling and garage (all matters except access reserved) As amended 28 November 2019.
at The Bungalow West Rounton North Yorkshire DL6 2LW
for Mr & Mrs G Elstob.**

This application is referred to planning committee as a departure from the development plan

1.0 SITE CONTEXT AND PROPOSAL

- 1.1 The site is located within the settlement of West Rounton, which is a Secondary Village in the settlement hierarchy. Historically the settlement would have been linear in form. However, a relatively large amount of development has taken place to the west of the main road, creating an established block of development behind the main road frontage.
- 1.2 The site forms part of the wider domestic curtilage of the property known as White House Farm Bungalow, located to the west. The site is relatively flat with a line of trees along the northern boundary. It is located behind a relatively new housing development of approximately 15 dwellings. These were developed on a former pig farm associated with White House Farm Bungalow and White House Farm House located a short distance to the east.
- 1.3 The application is in outline form for one dwelling and garage (amended from two units). The only matter for approval at this stage is access. The remaining matters, i.e. appearance, landscaping and layout would be for a later application if this development is approved in principle. The application originally proposed two dwellings on this plot, however through negotiation this was reduced to a single unit. This has not meant a consequential change to the red line boundary.
- 1.4 The development would use the existing access that serves the bungalow. Access is gained through the adjoining housing estate, White House Wynd, from the main road passing through the village.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 17/02720/OUT Outline application for the construction of a detached dwelling and double garage (all matters except access reserved) - Approved 08/02/2018
- 2.2 02/01771/FUL - Construction of a domestic double garage - Approved 04/11/2002
- 2.3 95/51701/M - Removal of an agricultural occupancy condition - Approved 09/06/1999

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 DP9 - Development outside Development Limits
 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
 Emerging Hambleton Local Plan
 National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 West Rounton Parish Council - No response received.
- 4.2 NYCC Highways - No objections subject to conditions on turning and parking, precautions to prevent mud on highway, construction traffic storage and parking.
- 4.3 Application advertised in a local newspaper as a development plan departure on 08.11.2019 and the consultation expired 02.12.2019
- 4.4 Historic England - no comment response received.
- 4.5 Natural England - no comment response received.
- 4.6 Teesside Airport - no comments response received.
- 4.7 Yorkshire water - no comments received.
- 4.8 Site notice posted and neighbours notified. The following is a summary of representations were received from members of the public. Three representations have been received from five individuals, all objecting.
 - The proposal will affect views from neighbouring property
 - Construction traffic/vehicle access to new houses would increase traffic, noise level and pollution of the atmosphere.
 - Increased danger to residents and children in the Wynd.
 - The current road of White House Wynd is made of block paving, which enhances the rural location and outlook. Additional traffic will lead to extensive wear and tear on this surface. Who will then resurface it to its original surface state and to whose cost?
 - Loss of space and privacy.
 - The plans are out of date and do not show the recent extension on neighbouring property which makes the distance smaller to 8m. This does not follow the minimum separation distance. Similarly with the second dwelling proposed. The Design and Access statement incorrectly refers to a distance of 18 metres.
 - The 2015 loft conversion of no 9 White House Wynd makes this a three storey dwelling, this change affects to minimum separation distances raising them from 22m for a two storey and now 27.5 for three storey. The proposal does not comply with either of these standards. (Officer Note: This is not a standard adopted by this Council).
 - Restriction of daylight in afternoon and evening.

- Previous 2017 approval gave concerns this was an initial plan to develop. The final result maybe the demolition of the 1970s bungalow and the creation of another estate on this site.
 - The application states there are no trees or hedges on the site. This is untrue.
- 4.9 The following further comments were received from one individual following the publication of the revised plan proposing one unit and detached garage.
- Strongly object to the current proposed location, the neighbouring property is entitled to enjoy a reasonable degree of space, privacy and daylight. The current proposed location of this dwelling invades this entitlement that had been enjoyed for the past 15 years.
 - Object to the close proximity of this proposed dwelling as the separation distance does not comply with the standards. The distance between 7 White House Wynd and the new proposed dwelling with a double garage, is approx. 15m, which is significantly less than the 21m that Planning Regulations state as a minimum; and less than the 18m which is quoted in the Planning, Design & Access Statement.
 - On the previous plan this property was partly hidden from view by the garage, however on the updated plan the whole dwelling is now in full view. This is not acceptable as it blocks our view and restricts the amount of daylight and sunshine into the back garden. It will also restrict our ability to enjoy household activities in our garden due to the close proximity of the new build.

5.0 ANALYSIS

- 5.1 The main issues to consider are; (i) the principle of development in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on residential amenity; and (iv) highway safety.

Principle

- 5.2 West Rounton does not have any Development Limits as identified in the Local Development Framework (LDF). Therefore development is only considered acceptable under LDF policies in exceptional circumstances, set out in Policy CP4.
- 5.3 Although the proposal is considered to be a Departure from the Development Plan, it is also necessary to consider more recent national policy in the form of the National Planning Policy Framework (NPPF).
- 5.4 Paragraph 79 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".
- 5.5 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 new housing in villages.
- 5.6 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.
- 5.7 In the Settlement Hierarchy reproduced in the IPG West Rounton 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.
- 5.8 IPG criterion 2 requires development to be small scale. The guidance indicates this is normally up to five dwellings. In this instance the amended proposal for one dwelling is considered to be an acceptable scale in terms of the IPG.

Character and appearance

- 5.9 The remainder of criterion 2, alongside criteria 3 and 4 of the IPG, require consideration to be given to the impact of the development on the surrounding natural environment and built form. This requires the proposal to reflect the character of the village including its relationship to the countryside. This approach is consistent with policies CP17, DP10 and DP32 in the Local Development Framework, which requires development to be attractive, functional, accessible, respect open spaces that are important to settlements, respect and enhance the local context, and be high quality. Policy DP32 continues to state that scale, form and massing should contribute to the local character whilst respecting the local context in terms of settlement pattern. Spaces should be well designed to ensure private and semi-private space and create discrete parking. It is found that the revised plan for one dwelling with detached garage meets these policy tests. In making this assessment it is noted that the application is in outline form only with all matters reserved other than access.
- 5.10 The site is sandwiched between the host bungalow and the adjoining housing estate, specifically numbers 7 and 9 White House Wynd. During the course of the application the applicant has amended the plan and created a single larger plot with one dwelling and detached garage. It is noted that the proposal goes some way to reducing any potential impact on amenity and would result in development not out of character with the locality.
- 5.11 As the site is already in residential use (i.e. domestic curtilage) and viewed within the context of residential development, the proposed development of a dwelling would not result in harm to the wider countryside to the west of the site.
- 5.12 It is therefore considered that, at this outline stage, one dwelling can be supported without causing harm to the character and appearance of the area.

Residential amenity

- 5.13 The council has not adopted the minimum separation distances referred to by several local residents. Instead each case is viewed on their individual merits. Policy DP1

requires that all development adequately protects residential amenity in terms of privacy, security, noise and disturbance, pollution, orders and daylight. This test is judged both on the impact on the existing neighbours of the proposal and the potential occupants of the proposed dwelling.

- 5.14 Two dwellings on this part of the site were considered unacceptable. Given the revised layout plan proposed, reducing the scheme to one dwelling, it is considered there is scope within the site to deliver suitable separation distances to achieve an acceptable level of amenity for current and future occupiers. This arrangement would, be subject to the submission of a detailed scheme at Reserved Matters stage, to ensure that the development does not impact detrimentally on residential amenity.
- 5.15 The design and access statement which was submitted for the two dwelling scheme on this site, describes a separation distance of 18 metres between the primary elevations of the proposed dwelling and 9 White House Wynd. This distance is found to be incorrect on measurement of the submitted plans, and following a site visit noting the recent extension to the rear of 9 White House Wynd which enlarged this property in the region of 4.5m closer to the application site.
- 5.16 The revised illustrative layout plan which reduced the scheme to one dwelling, relocated the dwelling further to the south within the site, creating separation distances of 12.4 metres to the rear elevation of 7 White House Wynd and a separation distance of 13.7 metres to the rear elevation of 9 White House Wynd. Subject to careful consideration of window location, this separation distance is considered to be sufficient to protect residential amenity.

Highway safety

- 5.17 The proposed access will make use of the existing drive, which serves the bungalow. There is scope within the site to provide parking and manoeuvring space. The local highway authority has raised no objection. It is considered that the proposed development will have no detrimental impact on highway safety and complies with the requirements of policies CP2, DP3 and DP4.
- 5.18 Convenient access via footways is possible into the adjoining housing estate in compliance with policy DP3. It is noted this site meets the sustainability test in terms of access to services in criterion 1 in the IPG which is also a requirement of CP2. The indicative layout would be able to support a final design to meet the requirements of access for all under policy DP4.

Planning Balance

- 5.19 It is considered that the site is in a sustainable location and that the site can be developed with a single dwelling house, without detriment to the character or appearance of the area or to residential amenity. The proposed development is considered to accord the requirements of the Interim Policy Guidance and relevant Local Development Framework Policy.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three years from the

date of this permission; ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

2. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site; (c) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (d) the scale (including the number) of buildings overall.

3. No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas approved under condition number 3 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.

4. 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.

5. 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.

6. The development hereby approved shall comprise no more than one dwelling.

7. Prior to the commencement of development, other than the initial formation of the access, full levels shall be provided of the existing and proposed ground levels along with the finished floor, eaves and ridge levels of the proposed development.

The reasons are:-

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
3. To provide for appropriate on-site vehicle facilities, in the interests of highway safety and the general amenity of the development.
4. To ensure that no mud or other debris is deposited on the carriageway, in the interests of highway safety.
5. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
6. For the avoidance of doubt and to ensure that the development is compatible with the character of the area and to accord with the requirements of Development Policy DP32 and the Interim Policy Guidance.
7. In order to ensure that the development is appropriate in terms of the character and appearance of the area and the amenity of neighbouring occupiers and to accord with the requirements of Development Policy DP1 and DP32.