

**Construction of a new dwelling.  
at Land Adjacent To (the Garden) 9 The Green Ainderby Steeple North Yorkshire  
for Mr G T B Place.**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The site is located just outside development limits on a corner plot between the houses fronting the village green and a continuation of the line of houses to the rear of the Church Lea housing development. The site is bounded by a row of 4 terraced houses (6-9 The Green), open fields to the rear and a private access path to the fields. The southern boundary is the retaining wall of the garden to the side of 10 The Green. The site slopes approximately 1.5m from the southern boundary down to the rear of the site and also slopes gently across the site from west to east before rising to the path on the eastern boundary.
- 1.2 The proposal is to construct a 4 bedroomed dwellinghouse over three levels (including a basement) measuring 14.2m x 8.5m x 8m in height (above ground level). A cellar and garage at the basement, living/dining area, kitchen, WC and utility to the ground floor and 4 bedrooms and two bathrooms at the first floor. All four elevations would have windows.
- 1.3 Vehicular and pedestrian access to the site would be provided by extending the present access road serving 6-9 The Green. This is intended to help align the vehicular access with the basement garage at the lower end of the site and keep the visual intrusion of both garage and parking to the rear of the house away from the village green frontage, in keeping with the conservation area.
- 1.4 Construction materials include red brick, red clay pantile, painted white fenestration and gravel hardstanding with space for 6 vehicles.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 None relevant.

**3.0 NATIONAL AND LOCAL POLICY**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Development Policies DP1 - Protecting amenity  
Core Strategy Policy CP4 - Settlement hierarchy  
Interim Guidance Note - adopted by Council on 7th April 2015  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP32 - General design  
National Planning Policy Framework - published 27 March 2012  
National Planning Practice Guidance

**4.0 CONSULTATIONS**

- 4.1 Parish Council - No observations
- 4.2 Environmental Health Officer - No objection

- 4.3 Highway Authority - No objection
- 4.4 Historic England - No comment
- 4.5 RAF Linton on Ouse - No comment
- 4.6 Environment Agency - No objection
- 4.7 Yorkshire Water - No comment
- 4.8 Neighbours/site notice - No responses.

## **5.0 OBSERVATIONS**

- 5.1 The main issues for consideration in this case relate to the principle of allowing the dwelling proposed in this location, together with an assessment of the impact upon the appearance of the area, highway safety and neighbours' amenities.
- 5.2 The site falls outside the Development Limits for the village of Ainderby Steeple as defined within policy CP4 of the Core Strategy where Policy DP9 states that development will only be granted for development "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) published in March 2012. Paragraph 55 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".

The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.
- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside policies CP4 and DP9, on 7 April 2015 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. 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 Ainderby Steeple is defined as a Secondary Village and is therefore classed as a sustainable settlement and 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". This goes on to state that "Proposals which are small in scale and which provide a natural infill or extension to an existing settlement will be considered favourably where they also conform with other relevant LDF Policies". In terms of the built form of Ainderby Steeple it is noted that this development would result in a dwelling on a corner plot fronting The Green.
- 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. The proposed dwelling would be within an infill space between 9 & 10 The Green. The following detailed advice within the IPG is considered to be relevant:
- "Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."
- "Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."
- 5.7 It is considered that the development proposed would appropriately respect the general built form of the village. It is also considered that the development is capable of being accommodated within the existing infrastructure (both social and utilities). In principle therefore this proposal satisfactorily complies with paragraph 55 of the NPPF and is consistent with the approach set out in the IPG.
- 5.8 It is noted that there are no objections in terms of highway safety. It is considered that the access arrangement and basement garage is acceptable as the works would be hidden from the Conservation Area green frontage.
- 5.9 It is considered that the design of the dwellinghouse would blend well with the existing housing in terms of massing and detail. The scheme is considered to have no detrimental impact on neighbouring amenity through loss of privacy as a result of the use of appropriate separation distances, location of windows, building height and overall design.
- 5.10 Under the Community Infrastructure Levy (CIL) regulations the proposed dwelling is liable for payment of CIL at a rate of £55 per sq. m, the rate adopted by the Council on 7 April 2015.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:
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 HDC01-005 received by Hambleton District Council on 27th May 2015 unless otherwise approved in writing by the Local Planning Authority.

3. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
5. The dwelling shall not be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
6. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the local planning authority. A scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.
7. No boundary walls, fences and other means of enclosure shall be erected unless details relating to them have been submitted to and approved in writing by the Local Planning Authority.
8. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority.

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. 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 CP1, DP1, CP4, CP17 & DP32.
3. 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. Submission of these details is required prior to commencement in order to ensure that only external materials appropriate to the Ainderby Steeple Conservation Area are used.
4. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1. Submission of these details is

required prior to commencement in order to ensure that the height of the dwelling and its appearance will be appropriate to the Ainderby Steeple Conservation Area.

5. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy DP33.
6. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks in accordance with Hambleton Local Development Framework CP21 and DP42. Submission of these details is required prior to commencement because appropriate treatment of any contamination is fundamental to the health of residential occupiers.
7. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
8. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43. Submission of these details is required prior to commencement because any construction in advance could prejudice the achievement of adequate drainage for the development.

#### Informative

1. Please note that the proposed development is liable under the Community Infrastructure Levy Charging Schedule, adopted by Hambleton District Council on the 07 April 2015. Details of the charging schedule are available on the Council website. [www.hambleton.gov.uk](http://www.hambleton.gov.uk)