

Parish: Myton-on-Swale
Ward: Raskelf & White Horse

Committee Date : 15 October 2015
Officer dealing : Mrs C Davies
Target Date: 19th October 2015

8

15/01151/FUL

**Construction of a dwellinghouse.
at Church Farm, Myton-on- Swale, North Yorkshire
for Mr and Mrs Revely.**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 Church Farm is located at the south-eastern edge of Myton-on-Swale, opposite St Mary's Church, a Listed Building. The application site covers an area of approximately 0.17 hectares.

1.2 Access to the site is gained directly from the main road. The access splits into two sections around a mature hedge and the eastern most access would be used for the new property and the other for the farm. The site is bounded to the roadside by a mature hedgerow, to the east the site is bounded by landscaping and a post and wire fence. Opposite the site is a high brick wall and mature landscaping enclosing St Mary's Church.

1.3 The application seeks full planning permission to construct a 2 bedroom bungalow with an integral garage and roof storage space. The building would be finished in brick and would have a clay pantile roof.

1.4 The proposed dwelling would be located in front of the existing two-storey, detached farmhouse building and forms part of a larger plot of land containing the farm complex, although this land is not included within the application site boundary.

1.5 The applicants state that the bungalow is required to house Mr & Mrs Revely senior, who have retired from the farm and need ground floor accommodation. They state that the farm worker replacing them could then be offered the farmhouse to live in.

1.6 The site lies within Flood Zone 1 and it is noted that Myton-on-Swale has no Conservation Area.

2.0 PLANNING HISTORY

2.1 None.

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 DP28 - Conservation

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 – we have no objections, we are happy with the design and location of the proposal and support the application.
- 4.2 NYCC Highways - no objections to the proposed scheme subject to conditions.
- 4.3 Yorkshire Water - no comments required.
- 4.4 HDC Environmental Health Officer – no comments to make.
- 4.5 Senior Scientific Officer - a PALC should be submitted.
- 4.6 Site notice/local residents – no responses received (expiry 12th August 2015).

5.0 OBSERVATIONS

5.1 The main issues for consideration in this case relate to the principle of a new dwelling in this location, an assessment of the likely impact of the proposed dwelling on the character and appearance of the village, the setting of the Listed Church building, neighbour amenity, highway safety and developer contributions.

5.2 In policy principle terms, Myton-on-Swale has no development limits and the village is not defined within the settlement hierarchy within Policy CP4 of the Core Strategy. 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".

5.3 The new property would be sited within the Church Farm complex to the front of the main farmhouse, it would be set back from the main road, and located inside the field boundary to the east, which is considered to delineate the extent of the built form of the village. Taking this into account it is not considered that the new property proposed would create an isolated home within the countryside.

5.4 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 and this is considered below.

5.5 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."

5.6 Myton-on-Swale is defined as an "other settlement" in the IPG settlement hierarchy and is therefore classed as a sustainable settlement. The IPG states that small scale development adjacent to the main built form of such settlements "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. Myton-on-Swale has a village church and it is located 2.7km from Helperby, a little further to Brafferton and 2.2km (just over a mile) from Tholthorpe. Tholthorpe has a pub and village hall; Helperby and Brafferton have between them a village hall, primary school, pubs, a GP practice and shop. Other economic benefits of the scheme include the short term boost to the rural economy during construction.

5.7 Proposals must also be small in scale and provide a natural infill or extension to an existing settlement and also conform with other relevant LDF Policies. The proposal is for a single dwelling and would therefore be small in scale. Myton-on-Swale is characterised by linear development with some built elements set back some distance from the main road including: The Old Vicarage and Church Farm. The proposed property would be sited at the Church Farm complex, in front of the existing farm house and would relate well to that complex of buildings. It would not be a frontage development, but would reflect the general pattern of development in the village. It would be sited within the field boundary running to the side of the existing farmhouse, marking the edge of the village, and the proposed bungalow would be read, when viewed from the east across the fields, as a discrete building forming part of the farm complex, not as an isolated dwelling. Moreover, it is considered that the retention of the open space at the site frontage nearer to the road, should be preserved, rather than built on, as it preserves the open landscaped aspect to entrance of the village and the setting of the Listed Church building. The siting is therefore considered to be preferable to a dwelling set closer to the road frontage. The proposal would successfully integrate into the built form of the village, and the setting of the Listed Church would not be harmed.

5.8 The bungalow would be 'L' shaped and modest in size and scale, it is proposed to be constructed in brick with brick detailing to windows and doors and to have a pitched clay pantile roof and a projecting dentil course. Windows and doors would be uPVC, with windows having glazing bars. A revision to lower roof profile slightly has been requested from the applicant and this has been agreed and additional planting is now proposed to the field boundary (details are to be supplied and reported to Committee). Taking this into account the proposal would successfully integrate into the wider rural landscape and Policies DP28 and DP32 would be met.

5.9 The proposed bungalow would be located 40m in front of the existing farm house, and an orchard would be planted in between. There would be sufficient separation distance to the farm house and to other nearby properties, to ensure that the residential amenity of

nearby occupiers would not be harmed. The proposed bungalow would have sufficient amenity space for the new occupants and due to its location it would be sufficiently separate to the farm activity so as not to harm the amenity of new occupants. It is considered the proposed development would meet the expectations of Policy DP1.

5.10 The existing access would be used and no objections have been raised by the Highway Authority, either in respect of the suitability of the access or in terms of the increased usage. Two car parking spaces are proposed for the property and Highways recommend that a condition on parking layout is applied. Taking this into account the proposed development would not adversely impact upon highway safety.

5.11 The Senior Scientific Officer request that a preliminary assessment of land contamination (PALC) is submitted. This has now been done and no concerns are raised in respect of contamination.

5.12 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. However, as the scheme is likely to be a self-build, it would be exempt from payment.

5.13 The proposed development is acceptable and approval of the application is recommended.

6.0 RECOMMENDATION: that 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. 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.
3. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing reference R223/2. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
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 permission hereby granted shall not be undertaken other than in complete accordance with plans received by Hambleton District Council on unless otherwise 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 Policy(ies) CP17 and DP32.
3. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle parking, in the interests of highway safety and the general amenity of the area.
4. 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.
5. 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) CP17 and DP32.