

15/01446/FUL

Construction of detached three bedroom two storey dwelling with attached garage to include access and means of enclosure as amended by plans and details received by Hambleton District Council on 6 August 2015, 1 September 2015 and 21 October 2015. at Montrose Main Street Sessay North Yorkshire for Mr & Mrs Algie.

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 This application seeks planning consent for the construction of a dwelling and garage at land within the garden of and north of the dwelling known as "Montrose" that is in turn at the northern end of the village of Sessay, on the west side of the village street.
- 1.2 The proposed dwelling was initially to be served by the existing access to the north of the site at Montrose. However the amended details (received 21 October 2015) show an access central to the site frontage to provide access to both Montrose and the new dwelling, in order to achieve the required visibility splays.
- 1.3 Amended plans have been received on 6 August 2015 and 1 September 2015 revising the design of the dwelling, clarifying on the access proposed and the concerns of the local highway authority, confirming surface water drainage, and works to trees on site.
- 1.4 The dwelling would provide for a hall, lounge, dining area, w/c, utility and kitchen area at ground floor level. At first floor level 2 bedrooms, a bathroom, study and an en-suite bedroom are proposed.
- 1.5 The dwelling would measure approximately 8.6m x 10.8m, with a total height of approximately 7.3m. An attached garage to the south would measure approximately 5.7m x 6.3m, with a total height of approximately 4.8m.
- 1.6 The dwelling would be formed of brickwork and clay pantiles with white UPVC double glazed windows and doors.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 10/00773/OUT - Outline application for the construction of a dwelling; Withdrawn 2010.
- 2.2 10/00774/OUT - Outline application for the construction of a dwelling; Withdrawn 2010.
- 2.3 There is no planning enforcement history.
- 2.4 15/00553/OUT Development on the east side of the village street in the centre of the village for a new village hall and 5 dwellings – Approved 4 June 2015
- 2.5 15/00408/OUT Development on the east side of the village street 150m from the current site, outline for 5 dwellings – Approved 22 June 2015

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 CP19 - Recreational facilities and amenity open space
 Development Policies DP1 - Protecting amenity
 Development Policies DP2 - Securing developer contributions
 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 DP30 - Protecting the character and appearance of the countryside
 Development Policies DP32 - General design
 Development Policies DP37 - Open space, sport and recreation
 Development Policies DP43 - Flooding and floodplains
 Interim Guidance Note - adopted by Council on 7th April 2015

4.0 CONSULTATIONS

- 4.1 Parish Council - comments made on cumulative scale of development is Sessay, design of house must respect local vernacular, issues of surface water flooding and poor drainage, replacement landscaping, likelihood of protected species, importance of detailing of dwelling, support garage being set back, use of traditional fenestration material, chimney stack needs re-designing.

In summary: support the principle of a house of this size, height and form in this location subject to the issues set out above being addressed. Commenting on the amended details of 1st September 2015 the Parish Council acknowledges the changes that have been made and have no further comments.

- 4.2 NYCC Highways - The design standard for the site is Manual for Streets and the required visibility splay is 2 metres by 43 metres. The available visibility as initially shown from the northern access was 2 metres by 12 metres. Consequently, the Local Highway Authority recommended that permission be refused.

The amended scheme has been the subject of discussion between the agent and the highway authority and is expected to be found acceptable, the final response is awaited.

- 4.3 EHO - This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. Therefore the Environmental Health Service has no objections

- 4.4 Yorkshire Water

- 4.5 Publicity – neighbours

A comment has been received regarding a) the access and b) whether this is the start of a large number of properties ruining the open aspect of the area. There is concern about the road width and the safety of new properties noting the existing problem of vehicles speeding through the village.

5.0 OBSERVATIONS

- 5.1 The main issues to be considered in this case is are the highway safety of the site access, the landscape impacts of the proposal and the whether the scheme is in

compliance with the Interim Planning Guidance and can therefore be recommended for approval.

- 5.2 The safety of the access of the site to the village street has been raised with the agent and discussed directly between the agent and the highway authority engineer. Amended plans have been supplied that show an access in a position with increased visibility splays. It is anticipated that the revised details will be found to be acceptable to the highway authority and that a recommendation of conditions to be applied to any permission will be supplied before the date of the Committee meeting.
- 5.3 The site is currently a garden to Montrose and has the appearance of a garden with shrubs trees and garden structures. The site is opposite open agricultural land and to the north and west is open land. The construction of a new dwelling on the site will have a significant impact but this will be limited by the relationship to the existing dwelling Montrose (that is currently the first of a long (about 1.1km) unbroken row of dwellings on the west side of the village) and that the proposal would extend that row. The final structure on the west side of the village street will remain a small brick built sewage pump house. A section of mixed thorn hedge and a few tall Leylandii trees and other smaller shrubs would be required to be removed to make way for the access and dwelling. Orchard trees are shown to be retained to the north of the proposed dwelling. It is considered that taking in to account the relationship to the dwelling, the pump house, the retained hedgerow and orchard trees the proposal will not cause significant harm to the openness of the landscape of the District.
- 5.4 The Interim Policy Guidance (IPG) sets out small scale housing proposals can be supported. Firstly the proposal is to contribute towards achieving sustainable development by maintaining or enhancing the vitality of the local community and then secondly the proposal must meet all the 6 criteria. Sessay is a small village with a community hall (and approval for a proposed replacement hall), with village school and Parish Church at the south end of the village. There are small businesses operating around the village including the angling lakes and caravan site (with approval for extension) at the north end of the village. Schemes have already been approved for not just the new village hall but also housing on the site of the current village hall and approval for housing 150m from the proposal site, on the northern end of the village on the east side of the village street. The village can be described as having vitality and there is no reason to conclude that the proposal for an additional dwelling would not assist with furthering that vitality. It is considered that the first test of the IPG is met.
- 5.5 The second test set by the IPG is the 6 criteria. The site is about 750 from the village hall in the centre of the village. This is within walking distance and despite the absence of paths through much of the northern part of the village the village street is not so busy with traffic to make walking unattractive. Beyond the centre of the village there is a footway that leads to the village school. It is considered that the few local services in the village will be support by construction of new dwellings.
- 5.6 The development of a single dwelling is small scale and the layout reflects the form of the linear village. As found above building a single dwelling would not cause harm to the landscape. There is no evidence of any natural or historic interests on or adjoining the site. Even though the scheme would extend the linear form of the village it would not lead to the coalescence of settlements.
- 5.7 The scheme if approved would be the 11th new dwelling to be approved in Sessay since the adoption of the IPG. The scheme for a further dwelling would not give rise to a demonstrable increased pressure on any local infrastructure that would give rise to any demonstrable harm to the existing community. For these reasons it is considered that the scheme achieves compliance with 5 of the 6 criteria of the IPG.

The final criteria is that the proposal conforms with the other relevant LDF policies. Subject to the final comments of the highway authority it is considered that the scheme does conform with the LDF Policies.

- 5.8 The Parish Council and neighbour comments are considered to have addressed by the amendments made. The design of the building is considered to be appropriate to the village and whilst larger than the older cottage 'Montrose" it would not have an overbearing impact upon the neighbouring property or create a harmful impact upon the streetscene.
- 5.9 The issues of poor drainage and flooding are matters that are stated in the application forms to be addressed by disposal to the main sewer and existing drain to a water course, through the submission of details by a planning condition further details can be required to ensure that the development would provide suitable drainage for the site and not worsen any existing problems.

6.0 RECOMMENDATION:

6.1 That subject to any outstanding consultations the application be **GRANTED**

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. 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.
4. The use of the development hereby approved shall not be commenced until the foul sewage and surface water disposal facilities have been constructed and brought into use in accordance with the details approved under condition above.
5. 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.
6. No development shall commence until a scheme for highway works has been submitted to and approved in writing by the Local Planning Authority. The scheme of works shall include a programme for the implementation and completion of works. The development shall proceed in accordance with the approved scheme in accordance with the approved programme. The scheme once implemented shall be retained in accordance with the approved scheme.
7. The development shall not be commenced 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.

8. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 368/PD/03A, 05C, 01E and 02E received by Hambleton District Council on 21 October 2015 unless otherwise approved in writing by the Local Planning Authority.

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. 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.
3. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
4. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
5. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
6. In order to ensure that the development does not give rise to a loss of highway safety in accordance with the LDF Policies CP1, DP3 and DP4.
7. 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 .
8. 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) CP1, DP1, CP17 and DP32.