

15/00905/OUT

Outline planning permission for the construction of 8 dwellings (considering access) at Chapel Farm, Pickhill for Mr Peter Barningham.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies within the village of Pickhill to the rear (west) of the terrace of dwellings at Hillcrest covering an area of 0.5 hectares. To the north, the site abuts dwellings that front onto the main village street and also three of the dwellings on Melldown's Green; to the south the application site abuts the dwelling at Honley House; to the west lies agricultural land. A mature belt of trees lies outside but along the western and southern boundaries of the site.
- 1.2 The site is L-shaped with a small width of frontage onto the main village street. The vacant Methodist Chapel, which fronts onto the street, is included within the site but planning permission for its conversion to a two storey four-bedroom dwelling with a rear extension has already been granted separately.
- 1.3 The application site to the rear of the Chapel is currently occupied by poultry sheds and although some of these are still in use, the larger building is vacant and falling into disrepair. It is proposed to remove all of the poultry sheds, create an access road from the village street, adjacent to the Chapel and construct 8 dwellings. The total development, including the previously permitted conversion of the Chapel, would comprise 9 dwellings. The application for 8 dwellings is for outline permission with all matters reserved except for the proposed access. An illustrative layout has been submitted proposing a cul de sac form of development of detached and semi-detached dwellings that would generally lie parallel to Hillcrest.
- 1.4 The applicant proposes a total of 40% affordable housing.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 15/01028/FUL - Conversion and extension of former chapel to 1no residential dwellinghouse; granted 13 August 2015.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP9 - Affordable Housing
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
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all

Development Policies DP10 - Form and character of settlements
Development Policies DP15 - Promoting and maintaining affordable housing
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
National Planning Policy Framework - published 27 March 2012
Affordable Housing Supplementary Planning Document

4.0 CONSULTATIONS

- 4.1 Parish Council - no objections
- 4.2 NYCC Highways - conditions recommended
- 4.3 Yorkshire Water - conditions recommended to protect the local aquatic environment and YW infrastructure.
- 4.4 Environment Agency - no comments required
- 4.5 Historic England - no comments required
- 4.6 MOD - no safeguarding objections
- 4.7 HDC Environmental Health Officer - no objections or recommendations
- 4.8 Site notice/advert/local residents - correspondence has been received from 10 local residents, 6 of whom are generally supportive of the proposed development. The comments received are summarised as follows:
 - 1. Though I will not be directly affected by this development as I live some distance along the main street from Chapel Farm I do feel that the increase in traffic by the addition of nine houses could be more than the roads can take.
 - 2. The additional use of this area by potentially 18 more cars plus delivery vehicles and visitors will cause more congestion on the existing road and more stress on the existing residents.
 - 3. The road is regularly used by large farm vehicles, delivery lorries and fuel tankers that, at times, have difficulty negotiating this stretch of road.
 - 4. Over the years have had several damages to my car which is parked outside my house due to vehicles going in and out of the chicken sheds. I am very concerned about this as the space here for vehicles to turn onto the road is very tight.
 - 5. Support proposal but have concerns over car parking if too many houses are put on site as main street Pickhill is already full of parked cars due to so much infill.
 - 6. Please clarify how the boundary details between my property and the proposed new development, will be dealt with in relation to the difference in ground levels.
 - 7. Without elevation details I am of course unable to ascertain just how close to our boundary these new houses are sited, but as the land slopes down to the street in the same way as it slopes at the other side down to our house, it appears that the bank will need to be excavated considerably in order to fit in the dwellings as situated currently.
 - 8. Along the width of the garden near the boundary we have three mature trees, a magnificent horse chestnut, a hawthorn and an ash. My concern is that if the

- houses are sited too close to our boundary, the subsequent excavations will damage the roots of these trees and kill or damage them. If the trees are damaged then they will become unsafe and potentially hazardous.
9. Contrary to Policies CP4, DP8 and DP9, criterion 2 of the IPG as it is outside the development limit boundary and is not small scale.
 10. The SHLAA demonstrates an over-supply of housing, which exceeds the expectations outlined in the NPPF.
 11. That the presumption in favour of sustainable development should not take precedence over the development plan policies.
 12. This is a great idea and just what the village needs in fulfilling possible future homes for our children aswell as tidying up an eyesore in the centre of the village.
 13. It would improve the lives of the present residents.
 14. It will improve the look of the village and hopefully extra pupils for the village school
 15. The chicken sheds cause smells and flies especially in the summer months.
 16. Welcomed providing it doesn't add unnecessary strain to a small community like Pickhill.
 17. Changes should not allow the site to become a gateway to neighbouring greenfield land for further development.
 18. Ideal site that meets all criteria for the development.

5.0 OBSERVATIONS

- 5.1 The main issues for consideration in this case relate to the principle of new dwellings in this location outside Development Limits, an assessment of the likely impact of the proposed dwellings on the character and appearance of the village, the provision of affordable housing, the impact on neighbour amenity, the impact on trees, highway safety and developer contributions.
- 5.2 The site falls outside of Development Limits of Pickhill, which is defined in Policy CP4 of the Core Strategy as a Secondary Village. Policy DP9 states that development will only be granted outside of Development Limits "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). 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 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.
- 5.4 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.

- 5.5 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 In the 2014 settlement hierarchy contained within the IPG, Pickhill is still defined as a Secondary Village and therefore a sustainable 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 within the centre of Pickhill, which has facilities including a school, church and pub. Criterion 1 would be satisfied.
- 5.7 Proposals must also be small in scale and provide a natural infill or extension to an existing settlement and also conform to other relevant LDF Policies. The proposal for a total of 8 new dwellings is larger than the normal maximum of 5 dwellings noted within the IPG. The guide goes on to state that "each development must be considered on its own merits taking into account the scale and unique character and appearance of the settlement" and therefore allows for larger developments if they reflect the existing built form and character of the village.
- 5.8 Pickhill is traditionally characterised by linear development; the development of the large cul de sac of Melltown Green is not in the traditional character of the village and not the type of development envisaged by the IPG, which aims for more organic and incremental growth.
- 5.9 The proposed layout shows a cul de sac development of 8 dwellings, both detached and semi-detached, positioned along one side of the proposed street that extends beyond the Chapel. This would be a less traditional form of development for the village of Pickhill and would not be an example of 'organic growth'. However, the illustrative layout is not for approval and alternatives may be possible such as a development that would reflect the current agricultural use of the site (for example a converted farmstead in appearance) rather than a suburban style of development. It is therefore considered that the proposed number of dwellings could be achieved in a different form, although this could entail smaller dwellings.
- 5.10 Supporting information submitted with the application considers that to artificially limit the number of dwellings on the site would adversely impact on existing services within the village including the school and the pub. Whilst it is accepted that a larger development would provide greater support for local services, the same support could be provided by a number of smaller developments and therefore the argument should not advance the case for an inappropriate scale or form of development.

5.11 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 dwellings would be on the site of the disused poultry farm, which is falling into disrepair and is unsightly. Albeit an agricultural use, the site has more in common with the village than with the rural landscape beyond. 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."

5.12 As such, and noting that the proposed number of dwellings could be achieved in a number of ways, it is considered that the development proposed, and the limited loss of openness, can be designed at the reserved matters stage to appropriately respect the general built form of the village. There is no identified harmful impact to the built or historic environment.

5.13 The site is still partly in use as a poultry farm and several of the comments received by local residents is in respect of the noise and smells resulting from the operation. The buildings are in close proximity (approximately 20m) of the neighbouring dwellings, and although there are no current complaints with the Council's Environmental Health section, there have been in the past. The use is felt to be inappropriate adjacent to a residential area.

5.14 LDF Policy CP9 requires development in locations such as this of 2 or more houses to provide a 40% proportion of affordable homes. The applicant has agreed to this requirement and an appropriate condition is recommended.

5.15 The indicative layout illustrates a single access road through the site with dwellings to one side, forming an L-shape. There would be adequate distance between the existing and proposed dwellings for there to be no loss of amenity as a result of overlooking or overshadowing, so although the layout is indicative and would not be formally approved, it suggests that a layout to protect residential amenity could be achieved.

5.16 A mature belt of trees lies along two sides of the application site. The indicative scheme shows that there is adequate space within the site for development to take place beyond the canopy. It is recommended that a condition be imposed requiring the submission of a tree survey with the reserved matters submission to ensure there would be no adverse impact on the health and stability of the trees.

5.17 The access is the only matter for consideration at this stage. The Highway Authority has no objections regarding the proposed development. It is not considered that the proposed development would adversely impact highway safety and conditions are recommended.

5.18 Under the Community Infrastructure Levy (CIL) regulations the proposed dwellings are liable for payment of CIL at a rate of £55 per sq. m, the rate adopted by the Council on 7 April 2015. The sum payable can only be calculated at the reserved matters stage, when the floor space of each dwelling is known.

5.19 It is considered that the proposal is in accordance with the Interim Policy Guidance document in that the housing development, subject to the subsequent approval of

detailed plans in respect of layout, scale, design and materials will have no adverse impact on landscape character, residential amenity and highway safety.

6.0 RECOMMENDATION

6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

1. Applications 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 on or before whichever is the later of the following dates: 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; (c) the landscaping of the site; (d) the layout of the proposed buildings and spaces including parking and any external storage areas; and (e) the scale (including the number) of buildings overall.
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. All areas of hard surfacing within the curtilages of the dwellings hereby approved shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.
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 take place above foundation level until details relating to boundary walls, fences, hedgerows and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority
7. No dwelling shall be occupied until its associated boundary walls, fences, hedgerows and other means of enclosure associated with it have been constructed in accordance with the details approved in accordance with condition 6 above. All boundary walls, fences, hedgerows and other means of enclosure shall be retained and no part thereof shall be removed without the prior written consent of the Local Planning Authority.
8. No development shall take place until a tree report has been submitted to the Local Planning Authority to assess the impact of the proposed development

on the trees that lie along the western and southern boundaries of the application site. Thereafter any recommended works, approved by the Local Planning Authority, shall be undertaken in accordance with the approved details.

9. The development shall not begin until a scheme for the provision of affordable housing as part of the development (the 'Affordable Housing Scheme') has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the Affordable Housing Scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it.

The Affordable Housing Scheme shall include:

- a. The numbers, size, type, tenure and location on the site of the affordable housing provision which shall consist of not less than 40% of the overall total number of housing units on the site. The affordable housing provision shall comprise either houses or bungalows and shall accord with the Council's Affordable Housing SPD and/or any additional or successive planning policy document adopted by the Council
 - b. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing which shall provide for the final affordable unit to be made available for occupation before occupation of 6 open market dwellings on the site;
 - c. The arrangements for the transfer of the affordable housing to an affordable housing provider at the Council's agreed transfer price as defined in the Council's Affordable Housing SPD and/or any additional or successive planning policy document adopted by the Council the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - d. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
10. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
 11. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.
 12. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
 13. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - a. The details of the access shall have been approved in writing by the Local Planning Authority;

d. The crossing of the highway verge and/or footway shall be constructed in accordance with the Standard Detail number E6 var; e. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway; f. That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 15; and i. Provision of tactile paving in accordance with the current Government guidance. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

14. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 22 metres measured along both channel lines of the major road Hill Crest from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
15. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or buildings or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority: a. tactile paving; b. vehicular, cycle, and pedestrian accesses; c. vehicular and cycle parking; d. vehicular turning arrangements; e. manoeuvring arrangements ; and f. loading and unloading arrangements.
16. No dwelling shall be occupied until the related parking facilities have been constructed. Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
17. 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. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning 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 writing to their withdrawal.
18. 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: a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; and b. on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

19. Unless otherwise approved 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 details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.
20. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan GA/00 received by Hambleton District Council on 28 April 2015 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions 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 commences.
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.
4. To reduce the volume and rate of surface water that drains to sewers and watercourses and thereby not worsen the potential for flooding in accordance with Hambleton LDF Policies CP21 and DP43.
5. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
6. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
7. To protect the amenity of occupiers and neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
8. The trees are of some local amenity value and worthy of protection in the context of new development in accordance with LDF Policies CP16 and DP30.
9. To ensure that the development provides affordable housing that meets the needs of the local community in accordance with the LDF Policies CP9 and DP15.
10. In the interest of satisfactory and sustainable drainage in accordance with LDF Policies CP21 and DP43.

11. To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading in accordance with LDF Policies CP21 and DP43.
12. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
13. In accordance with LDF Policies CP2 and DP4 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
14. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
15. In accordance with LDF Policies CP2 and DP4 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
16. In accordance with Policy CP2 and DP4 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
17. In accordance with LDF Policies CP2 and DP4 to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
18. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
19. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety and the general amenity of the area.
20. 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.