

**Parish: East Harlsey**  
Ward: Osmotherley & Swainby  
**3**

Committee Date : 7 January 2016  
Officer dealing : Mrs B Robinson  
Target Date: 9 December 2015

**15/02311/OUT**

**Outline application for the change of use of agricultural land to domestic and the construction of a single dwelling with all matters reserved. as per email received by Hambleton District Council on 3rd November 2015.  
at Land Between Bankside Farm And Hawthorn Cottage East Harlsey North Yorkshire for Mr Brian Noble.**

#### 1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site has approximate dimensions 34 x 42 metres and is part of a field on the north side of the road, toward the east end of East Harlsey. The site contains a dilapidated agricultural building on the west side. The site lies between, (to the east), Hawthorn Cottage, one of a pair of semi-detached bungalows, and (to the west), Bankside Farm, a modern two storey house. There is an access track between the site and Bankside Farm, which serves farm buildings to the north. The site slopes down gently away from the road. The roadside boundary and the west side boundary are hedged. The east boundary to Hawthorn Cottage has a 1.8m (approx) high fence. There is an existing field access on the west side of the plot, which has the appearance of having been widened in recent years and which is closed at present by heras type fencing.

1.2 The proposal is in outline consent for (as amended) one dwelling, with all matters reserved.

#### 2.0 RELEVANT PLANNING HISTORY

2.1 14/00618/FUL Alterations and extension to existing farm building to form a holiday let. Withdrawn 12.05.2014

2.2 15/02139/FUL Construction of a detached dwelling house with domestic garage. Approved 16.11.2015 on land to the west of Bankside Farm .

#### 3.0 NATIONAL AND LOCAL POLICY:

3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

- Core Strategy Policy CP1 - Sustainable development
- Development Policies DP1 - Protecting amenity
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP17 - Promoting high quality design
- Development Policies DP32 - General design
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Development Policies DP30 - Protecting the character and appearance of the countryside
- Interim Guidance Note - adopted by Council on 7th April 2015
- National Planning Policy Framework

#### 4.0 CONSULTATIONS

4.1 Parish Council - The Parish Council recommended that this application be refused at this stage since there was insufficient detail in the application to allow proper consideration of the merits of the application.

As amended - The Parish Council would like to reiterate its objection to the amended

application for one dwelling on the same grounds (as previously).

4.2 NYCC Highways - conditions recommended.

4.3 Historic England - determine in accordance with national policy and guidelines.

4.4 Neighbours site notice and press notice - last expiry 23.11.2015. No observations have been received.

## 5.0 OBSERVATIONS

5.1 East Harlsey is a village without status within the hierarchy set out in CP4 as adopted 2008. In response to the guidance of the NPPF, in 2015 the Council adopted an Interim Guidance Note which updates the hierarchy and includes East Harlsey as a secondary village. The Guidance provides for a more flexible consideration of new development at the edge of settlements. Accordingly the main consideration is whether the development is the criteria of the Interim Guidance, and thereafter whether it is in accordance with any other relevant policies of the local plan including the amenity of nearby occupiers (CP1 and DP1, design (CP17 and DP32) and any highway safety issues.

### 5.2 Interim Guidance Criteria:

Small scale housing development will be supported 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.

5.3 The inclusion of East Harlsey in the updated settlement hierarchy as a secondary village indicates it is considered to be a reasonably 'sustainable' location where an additional dwelling can be considered to support local services, which in this case include a pub, and a village hall.

5.4 As a single dwelling it is small in scale. The site is between existing developments and the development reflects the linear form of the village.

5.5 The site is an open field and other than hedges, which could be retained as required, the proposal would not be detrimental to the natural environment. The surroundings do not include Listed Buildings and overall would not be harmful to the historic or built environment, subject to considerations of design, which can be controlled with the consideration of reserved matters, should the application be approved.

5.6 At the east end of the village, development is sporadic with one or two existing gaps on the north side of the road. Development ceases on the south side of the road, just short of the application site. The application site is within the 30 mph village area, with street lights, and has the character of forming part of the village, and on this basis it would not be harmful to the rural surroundings.

5.7 There is no evidence that a single extra dwelling cannot be accommodated within the

capacity of the existing infrastructure.

5.8 Overall therefore, the proposal is acceptable development in the terms of the Interim Policy Guidance.

5.9 With regard to the amenity of neighbours, due to the size of the plot there is scope to achieve a design that is not harmful to the amenities of neighbours.

5.10 Siting and design are reserved to be considered later, however it can be seen that the size of the plot is capable of accommodating a dwelling that would reflect the relatively spacious setting of Bankside Farm and the recently approved dwelling to the west of Bankside Farm, and to an appropriate design which pays due regard to traditional design and local character and distinctiveness, as required by policy DP32.

5.11 With regard to highway safety, the present proposal does not include details of access. However, the Highway Authority raise no concerns in principle and on this basis the proposal will not be harmful to road safety.

5.12 With regard to the concerns of the Parish Council, the proposed development is outline consent only and no detail is required at this stage.

5.13 The development is CIL liable.

## SUMMARY

Due to its size and location the site is capable of accommodating a dwelling without unacceptable harm to the surroundings or the amenities of neighbours or road safety and is able to comply with the above policies.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

## 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 the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Five 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. The development shall not be commenced until details of the following 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 means of access to the site; (c) the landscaping of the site.

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. 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.

5. 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 4 above.

6. The development shall not be commenced until details relating to boundary walls, fences 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 the boundary walls, fences and other means of enclosure have been constructed in accordance with the details approved in accordance with condition 6 above. All boundary walls, fences and other means of enclosure shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.

8. 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.

9. 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(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. (ii) The crossing of the highway verge shall be constructed in accordance with the approved details and Standard Detail number E6 or E9. (iii) The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority

10. 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 building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority: (i) vehicular turning and parking arrangements ii) visibility splays at the access

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

condition 10 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.

12. Except as shall be approved for the purposes of creating an access, no part of the existing boundary hedge along the south boundary of the site shall be uprooted or removed and the hedge shall not be reduced below a height of 1.5 metres other than in accordance with details that have been submitted to, and approved by, the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990
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 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 ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
5. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
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.
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 accordance with CP2 and DP4 and in the interests of highway safety
9. In accordance with 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.
10. In accordance with CP2 and DP4 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
11. In accordance with CP2 and DP4 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
12. The hedge is important to the rural surroundings of this village edge location in accordance with the Local Development Framework Core Strategy Policy CP16.