

Parish: Snape With Thorp

Ward: Tanfield

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Committee Date : 7 January 2016

Officer dealing : Mrs H M Laws

Target Date: 3 December 2015

15/02189/OUT

Outline application for a new dwelling with some matters reserved (includes access and layout) as amended by plan received by Hambleton District Council on 16 December 2015.

**at Land East Of The Anchorage Lowfield Lane Snape North Yorkshire
for Mr David Kell.**

1.0 SITE DESCRIPTION AND PROPOSAL

1.1 The site is located on the northern side of Snape, to the rear of The Castle Arms Inn and several other residential properties that front onto Meadow Lane. The site is accessed along Lowfield Lane, a track which runs northwards from Meadow Lane at the side of the pub. Opposite the application site on Lowfield Lane, is a dwelling known as The Anchorage.

1.2 The site is currently a vacant field and covers an area of approximately 990sqm with dimensions of approximately 49m x 19m. The site is fenced to all sides with mature landscaping along the east and west (front) boundaries. Relatively young planting (some leylandii) lies along the north and south boundaries.

1.3 Access to the site is along Lowfield Lane; an existing gate is positioned in the western boundary.

1.4 The application is an outline application with access and layout included as matters to be considered at this stage. It is proposed to use the existing gated access and site the new dwelling in a central position within the site.

2.0 PLANNING & ENFORCEMENT HISTORY

2.1 84/0089/OUT - Outline application for the construction of a detached bungalow. Permission refused 29/11/1984 for the following reasons:

1. In the opinion of the LPA approval of the proposal would be contrary to the Bedale Draft Local Plan (Policy H1) which seeks to resist residential development outside the defined village limits unless it can be shown to be essential to the needs of agriculture or forestry or that there are other exceptional circumstances which would warrant the granting of planning permission.

2. In the opinion of the LPA the development represents an unsatisfactory form of backland development in tandem form using a single unmade access already used by several other persons.

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 - published 27 March 2012

4.0 CONSULTATIONS

4.1 Parish Council - no objections or comments

4.1 NYCC Highways - no objections

4.3 Historic England - The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

4.4 Site notice/local residents - three letters have been received from local residents objecting to the proposed development, summarised as follows:

1. This land is outside the building boundary, if granted this would set a very dangerous precedent, we believe this land would be offered for sale with planning permission (along with the attached paddock to the north)

2. Lowfield Lane is nothing more than a narrow dirt track and the passing traffic is only four feet from our lounge window, any increase in traffic flow would impact on us greatly

3. Less than 3 years ago the pub and neighbouring cottage were flooded and the fire brigade had to come and pump out at the bottom of Lowfield Lane, when it rains heavily water cascades down Lowfield Lane until it reached the bottom where it has nowhere to go and starts to back up.

4. Should this plot be built on, this would only add to this problem as it would be another piece of land where rainwater could no longer naturally soak away

5. Queries type of dwelling proposed

6. Concern regarding access to adjacent property being affected by the development during construction

7. Would Lowfield Lane become an adopted highway?

8. The level of the lane has dropped considerably exposing the base cobbles and creating pot holes. The vibration from the heavy traffic using the lane is also affecting the structural integrity of the adjacent buildings

9. I also refer the council to previous proposals for 6 dwellings on this site and the highway engineer's comments regarding the condition of the lane including: poor visibility splays, the lack of passing spaces and general lane safety

5.0 OBSERVATIONS

5.1 The issues to be considered include the principle of the proposed development, the effect on the form, character and appearance of the village, the impact on the amenity of neighbouring residents, highway issues and developer contributions.

5.2 The site does not lie within the Snape Conservation Area and the development would not have an impact on any heritage assets.

5.3 The site falls outside the Development Limits of Snape, which is defined in Policy CP4 of the Core Strategy as a Service Village. 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 NPPF.

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. Snape remains a Service Village within the IPG and is therefore a sustainable settlement where 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. The site lies close to the centre of Snape which has facilities including a school, shop and pub. Criterion 1 would be satisfied.

5.5 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 undeveloped agricultural land that lies beyond the existing built form of the village. Due to the existing dwelling at The Anchorage and its proximity to the pub car park and quoits pitch the site has a close relationship with the village. The site is well screened from Lowfield Lane by the tall hedgerow trees along the boundary but is visible from the approach northwards along the Lane. It is appreciated that fencing has been installed to divide the original field and provide the application site, and planting has taken place to create the new boundary but as development has taken place further beyond the village on the western side of Lowfield Lane, the development of the application site would not extend the built form of the village into open countryside. It is not considered that the development of this site would result in the loss of rural landscape and therefore not have a harmful impact on the natural, built and historic environment.

5.6 The closest neighbour lies opposite at The Anchorage. The residents of this dwelling and other dwellings adjacent to Lowfield Lane may be aware of additional vehicles serving the new dwelling but one additional property would not result in a significant increase in traffic movements sufficient to adversely affect residential amenity.

5.7 The distance between The Anchorage and the new dwelling would be approximately 35m, which would prevent any impact on amenity as a result of overlooking or overshadowing.

5.8 The Highway Authority has no objections regarding the proposed development. It is considered that the proposed development would not adversely impact highway safety and no conditions are recommended.

5.9 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.

5.10 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 scale, design and materials and would have no adverse impact on landscape character, residential amenity and highway safety.

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

6.0 RECOMMENDATION: that subject to any outstanding consultations the application be GRANTED subject to the following conditions:

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 scale and appearance of each building, including a schedule of external materials to be used; (b) 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. All new, repaired or replaced areas of hard surfacing 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. 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 dwelling shall be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situate within the curtilage of that dwelling have been implemented. 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. 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.

7. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered HDC/3084/01HDC/3084/02 and received by Hambleton District Council on 24 September 2015 unless otherwise approved in writing 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 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. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with LDF Policies CP16 and DP30.
6. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies CP16, CP21, DP30 and DP43.
7. 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.