

Parish: Langthorne

Ward: Bedale

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16/00222/FUL

Committee Date: 28 April 2016

Officer dealing: Mrs H M Laws

Target Date: 6 May 2016

**Construction of a detached bungalow as amended by plans received by Hambleton District Council on 15 March 2016
at Ash Brae, Langthorne
for Mr & Mrs C McGee**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site forms part of a paddock area adjacent to the roadside, immediately to the north of Ash Brae bungalow at in Langthorne. The site covers an area of less than 0.1 hectares and gently slopes down from the road towards a pond, which lies to the east.
- 1.2 The village of Langthorne and the application site lie approximately 1.5km to the south of Hackforth and approximately 2.5km to Crakehall, which lies to the south west.
- 1.3 It is proposed to construct a dwelling on the site. The dwelling is split level with a contemporary design including a large area of glazing on the east elevation and a number of mono pitch roofs. The proposed accommodation is single storey, and includes two bedrooms, a kitchen/dining room, living room, study, utility room and an attached single garage. The dwelling would be finished in rendered blockwork with timber cladding and a sheet metal roof. Window frames and doors would be timber.
- 1.4 Access into the site would be shared with the adjacent paddock. The driveway would extend across the front of the dwelling providing a parking and turning area.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None

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 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 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 reply received.

4.2 Highway Authority - no objections subject to conditions.

4.3 Environmental Health Officer - no objection.

4.4 Public comment - two comments have been received, which are summarised as follows:

- Although not opposed to the dwelling we have concerns about construction noise being so close to our bedroom window;
- Proposed door on the west facing wall faces into the prevailing wind and is down wind of our fire chimney;
- The property will be seen from the A1 and may attract unwelcome visitors;
- We will be able to hear the cars on the drive if it is to be surfaced in gravel;
- The electric pole in the village moves in the wind and the cable may benefit from being underground;
- It is noted that the surface water will be drained into the pond we fear contaminants will drain onto our farmland. Our fields do not have a drainage system. The piped drainage system is in the large field to the north, behind Ash Brae and the land where the pond is sited;
- The building of a modern design timber and metal dwelling does not fit in with the rest of the village. The siting of the property will be the first thing seen when approaching the village from the north, on the road from Hackforth;
- The intended siting of the dwelling will be outside the village limits - the reason for refusing at least two previous applications for a dwelling on the same site;
- The two bungalows opposite the intended building site, Bankside and East View, were built as farm workers accommodation and are subject to Hambleton District Council's restrictions for farm workers in connection with West Farm, Langthorne.

5.0 OBSERVATIONS

5.1 The main issues for consideration in this case relate to (i) the principle of a new dwelling in this location outside Development Limits and assessment of the likely impact of the proposed dwelling on (ii) the character and appearance of the rural landscape; (iii) neighbour amenity; and (iv) highway safety.

Principle

5.2 The site falls outside of Development Limits as Langthorne does not feature within the settlement hierarchy defined 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 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 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.
- 5.4 In the settlement hierarchy contained within the IPG, Langthorne is defined as an "other 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 on the edge of the village of Langthorne, which has no facilities of its own but lies within close proximity (approximately 1.5km along the road) of Hackforth, another "other settlement" where there is a pub, a school and a village hall. It is considered that Langthorne and Hackforth are capable of forming a cluster with sufficient facilities and services to support a sustainable community. The IPG also notes that clustered villages should be approximately 2km apart. The distance by road to Crakehall, a Service Village, is slightly above this but overall it is considered that criterion 1 would be satisfied.

Character and appearance

- 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 dwelling would be on undeveloped land that lies beyond the row of residential properties on the northern side of the main village street. There are two dwellings on the opposite side of the road, which are also located beyond the main part of the village. 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."

- 5.6 The proposed development would extend the built part of Langthorne further to the north west and is therefore a form of ribbon development. The application site, although undeveloped, does not form part of the countryside but has more in common with the village and would stand opposite two dwellings on the western side of the road, East View and Bankside, which mark the northern extent of the village. The boundary between the application site and the rural landscape to the north is established by a timber fence and hedgerow and the land is not in agricultural use.
- 5.7 The proposed development is set at a low level and respects the existing site contours. The proposed dwelling would not detract from the rural character of the site and would be viewed as a small scale development at the entrance to the village. The design of the dwelling is not traditional but is effectively a bungalow structure reflecting the character of the existing dwelling at Ash Brae. The dwelling lies far enough from the host property however for the relationship to be separate. The existing dwellings to the west are both white rendered bungalows and therefore the use of render provides a link with these properties. The timber cladding is suggested as a natural material to minimise the impact on the rural landscape and soften the appearance of the building.

Residential amenity

- 5.8 The proposed dwelling lies far enough from its neighbours both at Ash Brae and the dwellings to the west, for there to be no impact on residential amenity. It is appreciated that additional vehicle movements will occur at the front of the site but these would not be significant in number and will not detract from the amenity of the nearest dwellings.

Highway safety

- 5.9 The Highway Authority has no objections to the use of the existing access for the proposed dwelling.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **GRANTED** planning permission 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. 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.
4. 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.
5. 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.
6. 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 shall be constructed in accordance with the approved Standard Detail number E6; and 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. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

7. 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 43 metres measured along both channel lines of the major road U591 Langthorne Village Street from a point measured 2.4 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.
8. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas: a. have been constructed in accordance with the submitted drawing (Reference HDC/3082/02 Block Plan); and c. 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.
9. The garage hereby approved shall be kept available at all times for parking of domestic vehicles ancillary to the occupation of the dwelling.
10. 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 agrees in writing to their withdrawal.
11. 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.
12. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered HDC/3082/02 and 03 received by Hambleton District Council on 15 March and 8 April 2016 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. 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. 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.
4. 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 CP16 and DP30.
5. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
6. 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.
7. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
8. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
9. In accordance with LDF Policies CP2 and DP4 and to ensure the retention of adequate and satisfactory provision of off-street accommodation for vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity the development.
10. In accordance with LDF Policies CP2 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
11. 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.
12. 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.