

**Parish: Alne**  
Ward: Easingwold  
**3**

Committee Date: 26 May 2016  
Officer dealing: Mr Andrew Thompson  
Target Date: 9 June 2016

**16/00858/FUL**

**Revised application for the construction of a dwelling  
at Birdforth House, Main Street, Alne  
for Mr & Mrs Steve Glendenning**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application proposes an amended scheme to that approved by Committee on 17 September 2015 for a new two storey dwelling. The proposed dwelling would be positioned to the west of Birdforth House and to the east of Fairhaven. The site is within the Alne Conservation Area.
- 1.2 The proposed dwelling, as amended, would measure approximately 11.9m x 9.3m. It would accommodate a lounge, sitting room, hall, kitchen/dining area/utility area and sun room at ground floor level, an en-suite master bedroom, two further bedrooms and a bathroom at first floor level.
- 1.3 Materials for the proposed dwelling would comprise brickwork and clay pantiles. Vehicular access to the property would be via the existing rear access to the site from Back Lane.
- 1.4 Minor alterations are proposed to the existing outbuilding to be used as a garage and a turning area would be formed next to this. This is as previously approved.
- 1.5 The site is in Flood Zone 1, within the Alne Conservation Area and within Development Limits.
- 1.6 The proposed dwelling would be positioned approximately 2.1m (at the nearest point) from the boundary with Fairhaven. The corresponding distance approved in September 2015 was 3.6m. This boundary is formed of a low post and rail fence and shrubs.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 14/01983/FUL - Construction of detached 4 bedroom dwelling house; Withdrawn 21 January 2015.
- 2.2 15/00513/FUL - Construction of a dwelling; Granted 22 September 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 CP3 - Community assets  
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  
Development Policies DP1 - Protecting amenity  
Development Policies DP2 - Securing developer contributions  
Development Policies DP3 - Site accessibility

Development Policies DP4 - Access for all  
Development Policies DP8 - Development Limits  
Development Policies DP28 - Conservation  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
National Planning Policy Framework - published 27 March 2012

#### **4.0 CONSULTATIONS**

- 4.1 Parish Council - Response awaited.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Yorkshire Water - Response awaited.
- 4.4 Neighbours were notified by letters dated 22 April 2016 and a site notice posted 28 April 2016. No comments have been received to date.

#### **5.0 OBSERVATIONS**

- 5.1 The main planning issues to take into account when considering this application relate to (i) the principle of development in this location; (ii) the impact on the character and appearance of the Conservation Area; (iii) the impact on neighbour amenity; and (iv) the impact on highway safety.

##### Principle of development

- 5.2 The site is within the settlement limits of Alne, which is a Secondary Village, and therefore a sustainable settlement, so the development is acceptable in principle. The inclusion of the site within the Conservation Area does not alter this, but requires careful consideration of the likely effect of the development on the character and appearance of the Area. Development should only normally be permitted within a Conservation Area if it at least preserves the character and appearance of the Area. The decision to grant planning permission for a dwelling on the site (15/00513/FUL) is a material consideration to both the principle of the development and also in respect of the details that are considered below.

##### The Character and Appearance of the Conservation Area

- 5.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. The National Planning Policy Framework at paras 133 and 134 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset. Whilst the development in the wider village and Conservation Area have been considered the proposals are part of a distinct area of the village and Conservation Area and the proposals should be considered on the merits of the scheme whilst having regard to the material planning circumstances of this site, including the planning history.
- 5.4 Having regard to the evolution of the scheme and the approved house design, the scheme echoes many of the principles previously approved. The proposal would reduce the gap to Fairhaven from 3.6m as approved to 2.1m and amend the design. The character of the Conservation Area includes gaps between properties but a number of these gaps are narrower than that proposed. The proposed reduction in the gap would therefore be in keeping with and preserve the character of the Conservation Area. The resultant changes to the elevations as a result of the wider

property would also improve the symmetry of the proposed house which is a distinctive feature of the area and in particular Fairhaven and Birdforth House.

- 5.5 Overall the proposal is considered to be in accordance with planning policy for the area.

#### Neighbour amenity

- 5.6 Amended details received 12 May 2016 have improved the compatibility of the proposed dwelling with adjacent property by way of its impact on privacy and shading by moving the proposed house forward. The proposed house would now stagger the gap between the building line of Birdforth House and Fairhaven. The proposal, whilst closer, would not alter the relationship between properties significantly in a manner that would impact on the amenities of Fairhaven. The overall design and scale of the structure would not harmfully erode neighbour amenity subject to the obscured glazing of the first floor windows to the western elevation, which now serves a bathroom.

#### Highway safety

- 5.7 The alterations to the existing access, and the provision of a parking and turning area as part of the proposal would allow the development to avoid a harmful impact on highway safety. Subject to recommended conditions the Highway Authority is also in support of the scheme.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
  2. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered GP197/1, G197/2, G197/3, G197/4, G197/5 received by Hambleton District Council on 12 May 2016 and drawings numbered C224/16, C224/17"A" and C224/18 received on 4 May 2016.
  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 shall not be commenced until a plan has been submitted to and approved by the Local Planning Authority to show all existing trees which are to be felled or retained together with the positions and height of protective fences, the areas for the storage of materials and the stationing of machines and huts, and the direction and width of temporary site roads and accesses.
  5. The development shall not be commenced until tree guards, comprising chestnut pale fencing, at least 1.5 metres high have been erected on the perimeter of the branch spread (or, in the case of a fastigiated tree such as a Lombardy Poplar, have been erected to enclose an area with a radius of 6 metres from the trunk) of all the trees shown as being retained. The guards shall be maintained in position and in good order during the whole period of works on site. Works, including the removal or

deposit of earth or other materials shall not be carried out within the tree guards without the prior consent of the Local Planning Authority.

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. The first floor windows on the western elevation of the building serving the master bedroom shall at all times be glazed with obscured glass.
9. 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.
10. 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 9 above.
11. The site shall be developed with separate systems of drainage for foul and surface water.
12. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference "G197/10"). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
13. 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.
14. 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.

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. 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 CP1, CP16, CP17, DP1, DP28 and DP32.
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 existing trees within the site, which are of amenity value, are adequately protected during the period of construction in accordance with Local Development Framework Policies CP16, DP31 and DP32.
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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.
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8. To safeguard the amenities of occupiers of adjoining residential property in accordance with Local Development Framework Policies CP1 and DP1.
9. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
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12. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
13. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
14. In the interests of highway safety.