

Parish: Hackforth

Ward: Bedale

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Committee Date: 18 August 2016

Officer dealing: Mrs H M Laws

Target Date: 2 August 2016

Date of extension of time: 26 August 2016

16/01308/FUL

Construction of dwellinghouse with attached domestic garage, formation of new vehicular access and associated parking at land to the south of Southfields, Silver Street, Hackforth for Mr & Mrs Paul Neasham

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies towards the north eastern corner of the village on Silver Street. The land covers an area of 785sqm to the south of the adjacent dwelling known as Southfields and adjacent to Manor House Farm. Silver Street is a no through road. The site is currently part of a vacant paddock with a stone walled boundary to the roadside with timber post and wire fencing to the rear (east) boundary. There is currently no boundary treatment to the south, which is the remaining part of the existing paddock. The northern boundary, which abuts Southfields, is formed by a stone wall, part of which is the outer wall of an existing outbuilding within the curtilage of Southfields. The paddock lies at a higher ground level than the tarmaced road, with a gently sloping verge up to the base of the wall. The land slopes slightly downwards towards the eastern boundary.
- 1.2 It is proposed to construct a detached dwelling on the plot. There is currently no vehicular access serving the site; it is proposed to create a vehicular access within the western boundary by removing a length of approximately 3.6m of the wall.
- 1.3 The proposed dwelling would be positioned centrally within the plot adjacent to the neighbouring outbuilding. The three bedroom dwelling has an L-shaped footprint, comprising a two storey and a single storey element; a gravel parking and turning area is proposed to the front of the house.
- 1.4 The dwelling would be finished in coursed stone with an interlocking slate roof and upvc woodgrain windows.

2.0 PLANNING & 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 DP10 - Form and character of settlements

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 - wishes the planning application to be approved.
- 4.2 Highway Authority - no objection. The public highway ends on the bend near the property Southlands, Silver Street then becomes private (not shown as a public right of way). The applicant will need to ensure a right of way for pedestrians and vehicles to the proposed dwelling.
- 4.3 Historic England - we do not consider it necessary to be notified of this application.
- 4.4 NYCC Archaeology - The proposed development lies within an area of archaeological interest and potential. Evidence from aerial photography in the form of earthworks has been plotted as part of the English Heritage National Mapping Programme for the "Henges" area. This survey indicates the presence of medieval and post medieval enclosures adjacent to the west of the application area, a moated enclosure to the south east as well as probable property boundaries relating to the former village of Hackforth. These property boundaries are likely to be medieval in date and lie in the field to the west of the development area along Silver Street. The presence of these earthworks may indicate further medieval/post medieval activity to be present in this location. The development therefore has the potential to impact on remains of the medieval and post-medieval period. A condition is recommended requiring a scheme of archaeological mitigation recording be undertaken.
- 4.5 Environmental Health Officer - In the design statement it mentions that the applicant is researching the installation of an air source heat pump. Before a decision is made I would recommend that that the applicant is required to submit details of the air source heat pump that may be installed and its location on the site. Once this information is submitted I will be able to determine the application.
- 4.6 Yorkshire Water - This application states both main sewer and soakaway for disposal of Surface Water. Yorkshire Water will not allow SW into the sewer system until other arrangements have been ruled out in line with NPPF. Please attach a condition requiring the NPPF procedure to be followed and the drainage arrangements to be approved prior to commencement
- 4.7 Public comments - none received to date.

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; (ii) an assessment of the likely impact of the proposed dwelling on the character and appearance of the village and the rural landscape; (iii) neighbour amenity; and (iv) highway safety.

Principle

- 5.2 The site falls outside of Development Limits of Hackforth, which is defined in Policy CP4 of the Core Strategy as a Secondary 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. 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 2014 settlement hierarchy contained within the IPG, Hackforth is no longer defined as a Secondary Village but as an Other Settlement because of a reduction in services and facilities since the previous survey. 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 walking distance of the centre of Hackforth which has a school, a pub and a village hall. The dwelling would lie within 500m, which is walking distance, of all of these facilities. Additionally, Hackforth is close to Langthorne, also an Other Settlement, which has a village green which adds to the sustainability of the area (Hackforth not having such a facility). The village is also within cycling distance (3km) of Crakehall, a Service Village, where there are further facilities although this should be given only limited weight due to the distance. Given the form and variety of services and facilities in the village and in nearby Langthorne, which equate to those that might be found in a small Secondary Village, in this case it is considered that criterion 1 would be satisfied.

Character

- 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 proposal is for a single dwelling and would not therefore be of too great a scale for the village. The site lies beyond but adjacent to the existing row of development along Silver Street and, although this is a grass paddock, it is in accordance with the built form of the village, being positioned between the village dwellings and Manor House Farm at the end of Silver Street. The application site, when viewed from the main village street to the west, would be viewed within the context of the existing Silver Street development, which would help to reduce the prominence of development on the site. As such it is considered that there would be no harmful impact to the natural, built and historic environment.
- 5.6 The proposed dwelling is a simply designed, well-proportioned double fronted property to be finished in stone and interlocking slate tiles. The dwelling is similar in style and materials to the existing dwellings along Silver Street and would not detract from the character and appearance of the village or the surrounding rural landscape. The dwelling would be set back to avoid the power lines that cross the site but this does not appear as a contrived positioning of the property within the site. The proposal is in accordance with LDF Policies CP17 and DP32.

Neighbour amenity

- 5.7 The principal elevation of the neighbouring property, Southfields, faces southwards towards the application site. An existing detached out-building that is within the garden of Southfields lies on the boundary separating the sites and already limits the outlook from that property. The positioning of the proposed dwelling on the plot would not therefore detract from the outlook of Southfields and is unlikely to harm the residential amenity of the occupants. The proposed development would be in accordance with LDF Policy DP1.
- 5.8 With regard to the proposed installation of an air source heat pump it is recommended that details be submitted prior to installation under the terms of a planning condition for assessment by the Council's Environmental Health Officer to ensure it would not adversely affect the amenity of the neighbouring property due to noise.

Highway safety

- 5.9 The Highway Authority has no objections. The section of Silver Street beyond the access to Southlands does not form part of the adopted highway but is capable of providing a safe access to the site. It is not considered that the proposed development would adversely impact highway safety and conditions are recommended.

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. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been 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. The development shall not be commenced until details relating to the boundary treatment of the development have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the boundary

treatment has been implemented in accordance with the approved details and thereafter retained.

6. No air source heat pump shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented prior to the first use of the development and retained.
7. 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.
8. 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. Thereafter the approved details shall be implemented prior to the first use of the development and retained.
9. (a) No demolition or development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and (i) the programme and methodology of site investigation and recording; (ii) community involvement and/or outreach proposals; (iii) the programme for post investigation assessment; (iv) provision to be made for analysis of the site investigation and recording; (v) provision to be made for publication and dissemination of the analysis and records of the site investigation; (vi) provision to be made for archive deposition of the analysis and records of the site investigation; and (vii) nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation;
(b) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under part (a) above; and
(c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (a) above and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
10. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawing numbered N005-02A received by Hambleton District Council on 6 June 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 LDF Policies CP16 and DP30.
5. To ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP16 and DP30.
6. To protect the amenity of adjacent residents in accordance with LDF Policy DP1.
7. To ensure the building is in keeping with the character and appearance of the locality in accordance with LDF Policies CP17 and DP32.
8. In order to avoid the pollution of watercourses and land in accordance with LDF Policies CP21 and DP43.
9. This condition is imposed in accordance with Section 12 of the NPPF as the site is of archaeological interest.
10. 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.