

Parish: Pickhill with Roxby

Ward: Tanfield

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Committee Date: 18 August 2016

Officer dealing: Mrs H M Laws

Target Date: 7 June 2016

Date of extension of time: 26 August 2016

16/00808/OUT

Outline application with some matters reserved (access to be considered) for the construction of four dwellings

At land east of Amberleigh House, Lowfields Lane, Pickhill

For Pickhill Top Ltd.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies within the village of Pickhill at the eastern edge of the village, opposite the Primary School, and covers an area of 0.872 hectares. The site forms part of an agricultural field occasionally used for grazing sheep. A mature hedgerow lies along the southern boundary of the application site abutting the highway known as Lowfields Lane. The site rises steeply up from the road and the hedgerow into the field, which continues to rise up beyond the boundary of the application site.
- 1.1 Adjacent to the site (to the west) lies Amberleigh House, currently the last dwelling on this side of the road opposite the village green. Opposite the site to the south west lies Pickhill Primary School. The site lies outside but adjacent to the Pickhill Conservation Area.
- 1.2 The application is for outline permission with some matters reserved for the construction of four dwellings amended from the original submission of six dwellings on a larger site. Access is a matter included for consideration at this stage. An indicative layout has been submitted illustrating four, two storey detached dwellings fronting onto Lowfields Lane, facing southwards. Access to the dwellings would be by means of independent driveways from Lowfields Lane.
- 1.3 The proposed development includes a proposal to widen the road along Lowfields Lane for the length of the site frontage, which would require the removal of the hedgerow.
- 1.4 The documents submitted with the application include a Planning Supporting Statement; a Design and Access Statement; a Heritage Statement; a Highway statement; a Preliminary Assessment of Land Contamination (PALC) form; a Phase I Contamination Desk Study; and an Ecological Impact Assessment.

2.0 RELEVANT 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 – no objections to the amended plans.
- 4.2 Highway Authority - no objections, conditions recommended.
- 4.3 Yorkshire Water - conditions are recommended regarding surface water drainage.
- 4.4 NYCC Principal Archaeologist - I agree that the development lays outside of the historic core of the medieval settlement at Pickhill. There is good evidence that the site has been in use for agricultural purposes for a significant amount of time and this can be seen in the form of prominent ridge and furrow remains that cover the field in which the development is proposed. Although the ridge and furrow is of local interest it is not designated and has no legal protection. I take the point made in the heritage assessment that the proposal will only have a minor impact on the ridge and furrow and that the majority will be preserved. Given the strong likelihood of long term agricultural use following the Norman Conquest, the site has a low archaeological potential. I therefore have no objection to the proposal and have no further comments to make.
- 4.5 Environmental Health Officer - no objection in principle to the proposed development, subject to full and detailed information being submitted to support a future application. The documentation that accompanies the application makes insufficient reference to matters of waste disposal provision, water supply and waste water drainage/sewage system provision. I would require specific referral to be made to these matters, with details of the measures which will be taken clearly specified.
- 4.6 Drainage Engineer - The Environment Agency's flood zone maps do not show river related flooding affecting the site or adjacent land. The EA's susceptibility to surface water flooding maps show that there is a surface water flooding risk to Lowfields Lane immediately in front of the new development and land to the south of the development, shown pink on the plan. The applicant should investigate the extent of this susceptibility to surface water flooding to inform their design if the application progresses. The applicant will have to investigate surface water management options for the development. Unless a suitable surface water management scheme can be provided the development could not progress irrespective of whether permission is granted.
- 4.7 Public comment - correspondence has been received from 11 local residents, whose comments (mostly relating to the original scheme for six dwellings) are summarised as follows:
 - I would ask that a condition is put on the approval that the six houses are all located on the existing highway frontage. To allow the houses to be built within the site i.e. up the hill from the existing highway, would mean these are visible from the Green and would severely compromise the nature of the conservation area that is The Green. Building into the site would also severely compromise

the privacy of houses built on east side of The Green as the new properties would be very much higher than the existing properties;

- The proposed land is and has always been agricultural and displays the topography of ridge and furrow working;
- As Chair of Governors of Pickhill School, I fear that the proposed application will constitute a severe safety hazard for the school. There has been considerable increase in traffic using the Lane in recent years and any further increase, especially with drives onto the Lane, would be extremely worrying. There is currently limited space for parents to deliver and collect their children as there is for the daily mini bus. Any encroachment could be extremely dangerous;
- The village school is opposite the site for the proposed houses, on a corner where it is not always easy to see oncoming traffic until the last minute. Unfortunately young children are not always aware of the dangers of moving traffic. This planned development will only increase traffic in an already sensitive area;
- In very wet weather the village green floods, making access impossible, sometimes for several days;
- I was under the impression the field the proposed houses are being sited in was a "Greenfield" site;
- On reading the Highways Statement it appears that Swainby Lane is only being widened adjacent to the new development and not all the way down to Money Hill. Also it appears that the area used regularly by parents, visitors to the school, school bus etc. is to be used by visitors to the new development, this, I feel would be of great detriment to the safety of the children;
- My understanding is that although there is outline application for six dwellings the ultimate objective is for at least twice this amount. Lowfields Lane is already constantly busy with traffic ranging from cars through to HGVs, heavy agricultural machinery and school buses and coaches. More dwellings will inordinately increase the traffic to an unsafe level next to a school on a road not designed for the width of a lot of the vehicles using this stretch on a daily basis;
- There is no footpath access to the school on Lowfields Lane;
- The proposed development area is medieval ridge and furrow land and to my knowledge a conservation area;
- I object strongly to anybody building on greenbelt land for purely personal gain;
- The proposed development is on a blind corner, which is situated on one side of the road and the village school on the other. Therefore, any increase in the traffic represents increased risk of accidents;
- At present Lowfields Lane affords people amenity for walking or riding. An amenity that would be reduced, should the proposed development should be allowed;
- Lowfields Lane is single track along its entire length with few passing places and is used for access to several residences, farms and agricultural land. The lane is frequently used by HGVs, heavy agricultural machinery and motor cars. For this reason we believe that any further development is not practice without serious consideration to upgrading this lane;
- I object due to what would be the inevitable traffic increase along a very narrow road;
- The driveways are at right angles to the narrow road and it is clear vehicles would have to be reversed out of, or into, those driveways;
- Hambleton Council must act responsibly when agreeing to new sites for development and must consider the impact on the infrastructure of the village. All the roads need upgrading to keep up with the increase in traffic from the additional housing been built. Lowfields Lane is a single track road all the way from the bridge on the Green and to beyond the school. Traffic struggles at times, especially at the school and any additional housing in this area will only increase the problem; and

- I understand there have been several applications within the village limits which have already been granted. It would be very sad for more houses to be built, especially when this field is a "greenfield" area, which is supposed to be protected from development.

5.0 OBSERVATIONS

- 5.1 The main issues for consideration in this case relate to: (i) the principle of new dwellings in this location outside Development Limits; (ii) the cumulative impact of further housing development in Pickhill including an assessment of the likely impact of the proposed dwellings on the character and appearance of the village; (iii) neighbour amenity; (iv) heritage assets; (v) flooding; and (vi) highway safety. There is no requirement for either the provision of or a contribution towards affordable housing on this site following the Ministerial Statement relating to contributions and small scale developments as the proposal falls below the six unit ceiling for affordable housing contributions in designated rural areas.

Principle

- 5.2 The site falls outside the Development Limits of Pickhill, 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 The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.
- 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.
- 5.5 The IPG states that the Council will support small-scale housing development 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.
- 5.6 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 the centre of Pickhill which has facilities including a school, church and pub. In the 2014 settlement hierarchy contained within the IPG, Pickhill is still defined as a Secondary Village and therefore a sustainable settlement. Criterion 1 would be satisfied.

Cumulative growth and character

- 5.7 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". 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 adjacent to residential and agricultural uses.
- 5.8 Proposals must also be small in scale and provide a natural infill or extension to an existing settlement and also conform with other relevant LDF Policies. This part of Pickhill is characterised by linear, frontage development; the indicative layout illustrates frontage development immediately adjacent to existing dwellings and opposite the school.
- 5.9 The scale of the development would be small as suggested by the Interim Policy Guidance (up to five dwellings) as the proposal illustrates a scheme of four dwellings. The proposal shows frontage development which is considered to be in keeping with the existing development on this side of the village green and appropriate to the village. The illustrative layout indicates that the four dwellings would be detached although it may be that a terrace of cottages would be more in keeping with the character of the village. However, the layout is not for consideration at this stage and this could be considered in greater detail under a reserved matters submission if outline permission is granted.
- 5.10 There have already been several planning permissions granted in Pickhill, following the adoption of the IPG in April 2015. These amount to permissions for up to 16 houses in Pickhill and therefore it is considered appropriate to consider whether an additional four dwellings can be considered as acceptable when the cumulative impact is taken into account. The previous planning permissions (three in number) include development at Chapel Farm (eight dwellings) in the centre of the village on the western side of the main village street; Pickhill Engineering (five dwellings) in the north western corner and the land to the rear of The Cottages (three dwellings), also towards the north western edge of the village. Given the separation from the previous approvals it is considered that an additional four dwellings on the eastern side of the village would not be seen in conjunction with those developments and therefore would not result in a significant amount of new development that would overwhelm or harm the existing built form of the village. In contrast, it would sustainably extend the development form and help to support the existing services and facilities in the village such as the school, the pub and the church.
- 5.11 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."

The character of the site is currently an undeveloped field but, as it does not extend beyond the speed restriction sign or beyond the School it does not appear to go beyond the existing confines of the village in respect of its character and proximity. It is therefore not considered to be part of the open countryside, which lies beyond.

- 5.12 It is considered that the development proposed, without the loss of rural landscape, would appropriately respect the general built form of the village. The proposed development would require the removal of the hedgerow along the road frontage, which would alter the character of the site. The ecological assessment confirms that the hedgerow is not a species rich feature; mitigation is recommended with regard to the site's ecological value, which includes the removal of vegetation outside of the bird nesting season and best working practice during the period of construction. A condition is recommended. It is proposed to plant new hedgerows along the front boundaries of the dwellings between the access points, which would provide soft edging along the roadside between the main part of the village and the adjacent countryside.

Neighbour amenity

- 5.13 The effects of the proposed dwellings on the amenity of existing local residents would be more accurately assessed following the submission of a detailed reserved matters application but it is anticipated that an appropriately designed scheme would avoid overlooking or an overbearing aspect on the neighbouring properties, particularly the adjacent dwelling at Amberleigh House, and would not therefore be contrary to LDF Policy DP1.

Heritage assets

- 5.14 The site's importance due to the presence of ridge and furrow system within the field has been raised by several local residents but the NYCC Principal Archaeologist has confirmed that the site has a low archaeological potential due to the length of time it has been in agricultural use and due to it being a relatively small corner of the main field.

Flooding

- 5.15 The application site does not fall within an area of flood risk but a comment has been received regarding the propensity for the village green to flood and block the road leading to Lowfields Lane. This part of the road appears to be susceptible to flooding, so there is a slight risk and it would be important for the scheme to carefully consider plans regarding the surface water drainage of the application site. A condition to this effect is recommended.

Highway safety

- 5.16 The Highway Statement submitted with the application concludes that (for six houses as originally proposed) the increase in traffic is unlikely to be significant and there are adequate visibility splays that would ensure safe operation of the accesses. Road widening would allow two vehicles to pass. There is concern from several local

residents that the proximity of the site to the School could be a hazard but vehicles associated with the application site will be slow moving at this point on Lowfields Lane either for access or egress of the proposed driveways. The Highway Authority has no objections regarding the proposed development. 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. 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; or (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. No development shall commence until details of all the 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 landscaping of the site; (d) the layout of the proposed buildings and spaces including parking and any external storage areas; and (e) the scale (including the number) of buildings overall.
 3. 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.
 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. 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.
 6. No development shall take place above foundation level until details relating to boundary walls, fences, hedgerows 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 its associated boundary walls, fences, hedgerows and other means of enclosure associated with it have been constructed in accordance with the details approved in accordance with condition 6 above. All boundary walls, fences, hedgerows and other means of enclosure shall be retained

and no part thereof shall be removed without the prior written consent of the Local Planning Authority.

8. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.
9. The package of mitigation measures as detailed within the Ecological Impact Assessment produced by E3 Ecology Ltd and dated April 2016 shall be carried out in full.
10. 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.
11. 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 accesses 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 and/or footway shall be constructed in accordance with the Standard Detail number E6 var; (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; and (f) that part of the accesses extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 15. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
12. 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 Lowfields Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 0.6 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction (visibility splays cannot cross over several plots and must be contained within individual plots and the public highway) and retained for their intended purpose at all times.
13. 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 buildings or other works until: (i) the details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority: (a) widening of the existing highway and bringing the existing highway up to an acceptable approved standard; and (iii) a programme for the completion of the proposed works has been submitted to and approved writing by the Local Planning Authority.
14. 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

buildings or other works until (i) details of the widening of the existing highway and bringing the existing highway up to an acceptable approved standard; and (ii) a programme for the completion of the proposed works have been submitted to and approved in writing by the Local Planning Authority.

15. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved have (a) been constructed in accordance with the submitted drawing (Reference CAL010216/07a Proposed Site and Location Plan and (b) 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.
16. 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 in writing to their withdrawal.
17. 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.
18. The permission hereby granted shall not be undertaken other than in complete accordance with drawing number CAL01216 03E received by Hambleton District Council on 27 July 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 enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development commences.
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. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in

accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.

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 in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
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 in accordance with Policies CP1, DP1, CP17 and DP32 of the Hambleton Local Development Framework.
8. To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading in accordance with LDF Policies CP21 and DP43.
9. To minimise the risk to the ecological value of the site in accordance with LDF Policies CP16 and DP30.
10. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
11. 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.
12. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
13. In accordance with LDF Policies CP2 and DP4 and in the interests of the safety and convenience of highway users.
14. In accordance with LDF Policies CP2 and DP4 and in the interests of the safety and convenience of highway users.
15. 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.
16. In accordance with LDF Policies CP2 and DP4 to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
17. 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.
18. 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.