

Parish: Potto
Ward: Osmotherley & Swainby
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Committee Date: 18 August 2016
Officer dealing: Mrs B Robinson
Target Date: 5 August 2016
Date of extension of time (if agreed): 19 August 2015

16/01041/FUL

**Construction of detached dwelling following demolition of existing storage building and change of use of existing buildings to ancillary domestic outbuildings to the new dwelling and associated works
at 10 Cooper Lane, Potto
for Mr & Mrs K Davison**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site includes a mown grass paddock/orchard where there is also a substantial store building of blockwork and sheeting in the north east corner, an open sided store on the south-west side, and stable building, opposite the existing house. The site lies to the rear of the dwelling at Village Farm. There is an existing gated access into the site from Cooper Lane, on the west side of the site.
- 1.2 The site is at the northwest edge of Potto which is mainly linear in form, with an established limb of development westwards at the north end of Cooper Lane, where there are a number of houses and the village hall.
- 1.3 The proposal is to construct a detached dwelling to the rear of Village Farm, in place of the existing open sided store building. The proposed house is two storey, with first floor rooms contained in the roof space, served by roof lights on the south elevation and dormers on the north and west elevations. The plan of the house is "T" shaped. Materials are intended to be brick with slate roofs. The existing store and stable buildings are included within the site and would remain under the control of the owners.

2.0 RELEVANT PLANNING HISTORY

- 2.1 07/03186/FUL - Retrospective application for the change of use of agricultural building to general storage, installation of external cladding and 3 windows; Granted 7 May 2008.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Core Strategy Policy CP4 - Settlement hierarchy
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council - recommend approval.
- 4.2 Public comment – one response:

- No objections to the proposed building;
 - Concerns about access for construction vehicles and risk of harm to the new surface of the road, which is paid for privately by residents; and
 - Alternative access is available from Butcher Lane (in suitable conditions) or through the car park of the Dog and Gun (public house).
- 4.3 Highway Authority – expresses concern about the width of Cooper Lane but the access already serves six properties and the village hall, so a refusal on highway grounds for one more property would be difficult to sustain. Conditions are recommended.
- 4.4 Northumbrian Water - no comments to make.
- 4.5 Ramblers Association - Notes that access to the site will be along Cooper Lane, a designated public footpath.
- 4.6 Scientific officer (contaminated land) - No objection.

5.0 OBSERVATIONS

- 5.1 The main issues to consider in the determination of this application are: (i) whether the principle of development in this location is acceptable; (ii) its likely impact on the character of the area; (iii) whether the proposal would have any detrimental impact on the amenity of neighbouring occupiers and; (iv) whether the development would have any detrimental impact on highway safety.

Principle

- 5.2 The site falls outside of the development limits of a sustainable settlement, as Potto has no status in Policy CP4 of the Core Strategy. Policy DP9 states that development will only be granted for development "in exceptional circumstances". The application does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal is 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 includes an updated hierarchy of settlements, including a list of 'other' settlements which are not of themselves sustainable.
- 5.4 In the 2014 settlement hierarchy contained within the IPG, Potto is included 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.

- 5.5 The approach of the Interim Policy Guidance is that Service and Secondary Villages are deemed sustainable in their own right whilst Other Settlements are unlikely to be considered sustainable unless they form part of a cluster with adequate existing services and facilities. This can be achieved through clustering with a Service or Secondary Village or with sufficient Other Settlements to have "a good collective level of shared service provision". In every case, a cluster "is unlikely to constitute a sustainable community "if there are significant distances (approximately 2km) or barriers between settlements (e.g. rivers with no crossing)". Development in villages with no or few services or without convenient access to services in a nearby settlement will not be considered sustainable.
- 5.6 Potto has facilities including a church, a village hall, and a pub and there being few facilities, it must be decided whether the addition of these facilities to those in other settlements no more than (approximately) 2km away, results in sufficient provision to constitute a sustainable community.
- 5.7 The nearest settlement is Hutton Rudby, a Service Village with a range of services including a shop, post office, pubs, churches, village hall and a school. Potto and Hutton Rudby are approximately 2km apart and as such under the terms of the guidance can be considered to form a sustainable cluster. Potto is therefore considered to form a sustainable community and the development of an additional dwelling is acceptable in principle.

Character

- 5.8 The remaining criteria of IPG to be considered would be (2) built form and character of the village (3) impact on the local environment and (4) impact on the surroundings.
- 5.9 In terms of built form and character, the village is strongly linear in form with an established pattern of growth leading westward off Cooper Lane at the north end. The majority of the village comprises frontage development. The development of a dwelling on the site would result in a tandem arrangement with the new dwelling occupying a backland site that would not reflect the existing form of the village or form a natural infill within the current pattern of development. The proposed development of this site for a dwelling is therefore considered to be harmful to the overall character and form of the village and fails to comply with the requirements of the Interim Policy Guidance in these terms.
- 5.10 The design of the proposed house is broadly traditional in character and, in association with the existing mixed housing along this part of Cooper Lane, and elsewhere in Potto, it would be sympathetic to the character of the village.
- 5.11 The site includes the site of an existing utilitarian building, and an area of mown grass, and natural features such as the hedged boundaries would not be affected. Consequently the development is not considered harmful to the natural environment or to have significant effects on the historic environment.
- 5.12 There is no evidence that the development could not be accommodated within the existing infrastructure of the village.

Amenity

- 5.13 The proposed design avoids dormers facing the existing dwelling and there is scope to consider that, subject to suitable conditions, the development would not be harmful to the amenities of neighbouring occupiers.

Highway safety

- 5.14 Taking into account the comments of the Highway Authority the development would not be harmful to highway safety. The concerns of a neighbour with regard to access are capable of being addressed by a suitable scheme for construction of the access, if the development were otherwise acceptable.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
1. The proposed development is a form of backland development which does not reflect the form and character of the village in this locality or form a natural infill within the current pattern of development, contrary to the Council's Interim Policy Guidance Note for housing development in villages. The proposed development is considered to be contrary to the requirements of the Interim Policy Guidance, Core Policy CP17 and Development Policy DP32.