

Parish: Carthorpe

Ward: Tanfield

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16/00887/FUL

Committee Date: 15 September 2016

Officer dealing: Mrs H M Laws

Target Date: 14 June 2016

Date of extension of time (if agreed): 23 September 2016

**Proposed replacement dwelling and construction of new detached dwelling
at Rosedene, Carthorpe
for Mr I Lancaster**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies on the northern side of the main village street at the western end of the village and is currently occupied by the single storey dwelling known as Rosedene along with its domestic curtilage. The eastern part of the site previously formed part of a field that is now a disused strip of land adjacent to an access serving three dwellings to the rear, recently converted from farm buildings.
- 1.2 It is proposed to remove the existing dwelling and construct two detached dwellings, each with an integral single garage. The application has been amended to replace the original proposal for two full height detached dwellings with two dormer style dwellings. The proposed dwellings are similar in scale, height and design; are 3-4 bed roomed two storey properties with the first floor accommodation provided within the roofspace and served by dormer windows and rooflights.
- 1.3 The dwellings would be finished in brick and render and concrete tiles with upvc double glazed windows.
- 1.4 The access serving the existing bungalow would be used for one of the dwellings; a new access is proposed to serve the dwelling at the eastern end of the site.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 15/00124/MBN - Prior notification (on site to the rear of application site) for change of use of agricultural building to dwelling; Granted 17 March 2015.
- 2.2 15/02240/MBN - Prior notification (on site to the rear of application site) for change of use of agricultural building to dwelling; Granted 25 November 2015.
- 2.3 15/01809/OUT - Outline application (on site opposite the application site) for construction of a dwelling house with all matters reserved; Granted 20 October 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 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 - Comment was made that yet again large houses are being built in the village rather than smaller properties more suitable and affordable for younger people / smaller families. For example the existing low profile bungalow is being replaced with a substantial house.

Further comments following amendments - Carthorpe has had a number of planning permissions approved in recent months and the Parish Council are concerned about the cumulative effect the passing of this application to provide an additional property will have on the village and it's public services. There are a number of properties that have been passed – some built and some not – in addition to existing houses standing empty.

- 4.2 Highway Authority - Conditions recommended.
- 4.3 Environmental Health Officer - This service has considered the above amended application and based on the information provided we believe there will be no significant impact on the local amenity and therefore the Environmental Health Service has no objections.
- 4.4 HDC Senior Scientific Officer (Contaminated Land) - no objection.
- 4.5 Public comment - comments have been received from two local residents, which are summarised as follows:
- A proposed window would look down onto 2 bedroom windows in an adjacent property and could be frosted glass;
 - Two storey dwellings would be out of keeping with the design and character of all the nearby single storey bungalows;
 - Adverse effect on neighbouring properties by reason of an overbearing effect due to collective size, depth, height and massing;
 - In an area where single storey properties are expected;
 - Inappropriate and unsympathetic layout and siting; and
 - Harmful to rural and undeveloped character of the environment.

The above comments have been reiterated in one response to the amended plans

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 as Carthorpe 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 2014 Settlement Hierarchy contained within the IPG, Carthorpe is defined as an Other Settlement. 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 Carthorpe which is identified in the IPG as an example of a cluster village together with Burneston. The two villages have long been linked economically and socially which continues to the present day and collectively have churches, a primary school, two pubs and a shop. Each village is readily accessible to each other on foot or bicycle as well as by car on the local road network. Carthorpe is less than a kilometre distance from Burneston and the application site is a further 0.5km through the village with a footway for almost all its length. Criterion 1 would be satisfied.

Impact on the character of the village and the rural landscape

- 5.5 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". The proposal is for the replacement of the existing dwelling and an additional 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 the village street and would not extend the built form of the village any further into the adjacent fields and is therefore in accordance with the built form of the village. As such it is considered that there would be no harmful impact to the natural, built and historic environment from a replacement dwelling and an additional dwelling in this location. It is, however, necessary to consider the design in more detail.
- 5.6 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.7 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. A Design Statement is not required with the application in this instance.
- 5.8 The proposed dwellings are simply designed, well-proportioned double fronted properties to be finished in brick, render and tiles. The dwellings are similar in style and materials to the existing dwellings along this part of the village street and would not detract from the character and appearance of the streetscene or the surrounding

rural landscape. The dwellings have been set back behind the building line of the existing dwelling but this does not appear as a contrived positioning of the properties within the site and is more appropriate considering their greater height. The proposal is in accordance with LDF Policies CP17 and DP32.

- 5.9 Outline planning permission was granted in October 2015 for the construction of a dwelling house opposite the application site. The development was considered to be in accordance with the Interim Planning Guidance. No details of that dwelling have been provided but it is not considered that this application would preclude the development of that site in the future.

Neighbour amenity

- 5.10 The dwellings would lie approximately 20m from the existing nearest neighbour to the east and 22m to the south east. There would be adequate separation distances between the existing and proposed dwellings and between the two proposed dwellings for there to be no adverse impact on residential amenity as a result of overlooking or overshadowing. The proposed development is in accordance with LDF Policy DP1.

Highway safety

- 5.11 The Highway Authority has no objections to the use of the existing access and the creation of a new access in this location.

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 dwellings shall not be occupied until the boundary treatment relating to that property has been implemented in accordance with the approved details and thereafter retained.
6. 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.
7. 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.
8. 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(es) 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 footway shall be constructed in accordance with the 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.
9. 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 C52 village street from a point measured 2.4 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 and retained for their intended purpose at all times.
10. 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 SCH738/2/A Proposed Site 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.
11. 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.

12. 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.
13. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered SCH738 2.B and 3.B received by Hambleton District Council on 18 April and 1 August 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 and the appearance of the streetscene in accordance with LDF Policies CP1, CP16, DP1 and DP30.
7. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
8. 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.
9. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
10. 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.
11. 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.

12. 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.
13. 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.

Informative

1. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste
1 x 240 litre green wheeled bin for garden waste
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from its own Neighbourhood Services.

If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at www.hambleton.gov.uk or by telephoning 01609 779977.