

Parish: Hornby
Ward: Appleton Wiske & Smeatons
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Committee Date: 10 November 2016
Officer dealing: Mr K Ayrton
Target Date: 27 October 2016
Date of extension of time: 14 November 2016

16/01885/OUT

**Outline planning application with all matters reserved for construction of a detached dwelling
At land adjacent to Field View House, Hornby
For Mr Andrew Edwards**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located on the western edge of Hornby, which is a small village located some 10km to the north of Northallerton. The site lies adjacent to Field View House, which is a recently converted chapel. The plot forms part of a larger parcel of land, which wraps around the rear of Field View House. The land is physically separated from the adjoining countryside by a fence and what appears to be a recently established hedge.
- 1.2 At this end of the village, the built form is linear in nature. Field View House is set relatively close to the roadside and the neighbouring property of Talbot House is set further forward. The Grange Arms Public House is located beyond, fronting the junction. The dwellings to the south of the road are set further back from the road with a large detached property visible on the approach to the village.
- 1.3 This approach to the village is enhanced by good quality planting including mature trees and hedgerows, which soften the transition between the built form and the countryside.
- 1.4 The boundary of Hornby Conservation Area wraps around the converted chapel building, with the application site falling immediately outside. The converted chapel building is recognised as being a non-designated heritage asset. This was established when planning permission (13/01129/FUL) was granted to convert the chapel into a dwelling.
- 1.5 The application is in outline form. All matters are reserved. An illustrative site plan, floor plans and elevations have been submitted in support of the application. However, as all matters are reserved, these have been given limited weight in considering the merits of the proposed development.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 01/50365/P - Formation of vehicular access with gate; Granted 15 June 2001.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Policy CP1 - Sustainable development
Core Policy CP2 - Access
Core Policy CP4 - Settlement hierarchy
Core Policy CP16 – Protecting and enhancing natural and man-made assets
Core Policy CP17 – Promote high quality design
Core Policy CP21 – Safe response to natural and other forces
Development Policy DP1 - Protecting amenity
Development Policy DP3 – Site Accessibility
Development Policy DP4 - Access for all

Development Policy DP10 – Form and character of settlements
Development Policy DP28 - Conservation
Development Policy DP30 – Protecting the character and appearance of the countryside
Development Policy DP32 – General Design
Interim Policy Guidance Note – adopted by Council on 7th April 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 Highway Authority - No objections subject to conditions relating to discharge of surface water and details of parking.

4.2 Parish Council - Would like to see this application refused. The general opinion was that the proposed building is too big for the size of the plot and it is not in keeping with the village.

4.3 Public comment - One letter of objection making the following comments:

- The main areas where I consider there to be serious conflict with planning policy relate to the failure of the outline application to conform to the requirements of the Interim Housing Guidance, as a result of its impact on the character and appearance of the surrounding area, its reflection of the built form of the village, its access to nearby services, and the impact on the amenity of occupiers of the immediately adjacent residential dwelling (Field View House);
- It is appreciated that this application is in outline however an indicative site layout has been provided to demonstrate how the development is considered to function on site. In doing so it has demonstrated that distinct harm would be caused through a loss of privacy, and an increased sense of enclosure from the overbearing built form;
- Concerns raised with the impact of the proposed development as shown on the illustrative plans;
- Harmful sense of enclosure;
- Dwellings; height is too large and out of proportion with Field View House;
- The position of the dwelling on site is at odds with the immediate settlement pattern which predominantly comprise aligned dwellings evenly recessed from the public highway. To allow for sufficient access, parking and manoeuvring space a dwelling of this size would not have the potential to reflect the built form and character of Hornby;
- The inclusion of the integral garage to the front of the dwelling dominates and detracts from its visual contribution;
- The dwelling is too large for the width of the plot;
- The position of the dwelling on the indicative layout would have a detrimental impact on key views into the Hornby Conservation Area;
- A key issue which has been overlooked relates to the positioning of the site where it can support local services including services in a village nearby. The development is unable to necessarily support the services in a village nearby as the sustainable means of reasonably accessing them do not exist;
- The development is not compliant with the LDF policies relating to amenity due to its indicative size and where it has to be positioned on site to allow activity associated with it to function; and
- My Client accepts development on the plot may occur if it is in keeping with the scale and design of the surrounding built environment, promotes the most sustainable use of the site and most importantly protects the amenities of occupiers of property in the locality, particularly Field View House to enable an accurate understanding as to how the development could function in future, and

whether its principle is established through conformity to the Interim Housing Guidance, the development needs to be amended to address the concerns raised.

4.4 2 letters of support making the following comments:

- Providing the building is in keeping with the properties; a further property would not detract. The Chapel and windmill have been converted from their original purpose, therefore the suggested change is no issue.

5.0 OBSERVATIONS

5.1 The main issues to consider are: (i) the principle of a new dwelling in this location; (ii) the impact on the character of the surrounding area, including the character and appearance of the Conservation Area; (iii) the impact on the amenity of neighbouring occupiers; and (iv) highway safety.

Principle

5.2 The village of Hornby does not have any Development Limits, recognising its small size. Policy DP9 states that development will only be granted for development beyond Development Limits "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 National Planning Policy Framework (NPPF) published in March 2012. 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 consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council 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.

5.4 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.

- 5.5 In the IPG Hornby is identified as an Other Settlement. This is in recognition of the relatively small number of services and facilities, which include a pub and village green. Therefore it would need to form a cluster with a Secondary or Service Village or one or more Other Settlements. Where a cluster comprises only Other Settlements, they must have a good collective level of shared service provision in order to comply with criterion 1 of the IPG.
- 5.6 Great Smeaton and Appleton Wiske, which are both Secondary Villages, are the largest settlements in closest proximity and are approximately 1.6km and 2.5km respectively. The IPG notes that in order to form a sustainable community, villages must be clustered with other settlements where there are no significant distances or barriers between them. The IPG defines “significant distance” as approximately 2km. It is therefore considered that Hornby can be viewed as an example of a cluster village with Great Smeaton and Appleton Wiske. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable.

Impact on character

- 5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings, however this does not automatically mean that 5 dwellings would be appropriate in every settlement. In this instance only one dwelling is proposed, which is considered to be an acceptable scale.
- 5.8 Along with the remainder of criterion 2, criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural and built form, including the historic environment.
- 5.9 In making this assessment it is noted that the application is in outline form only with all matters reserved. The plans submitted as part of the application are for illustrative purposes only. Therefore, they have been given little weight in forming the recommendation, which focuses solely on the principle of development. It should be added that the illustrative plans present a form of development that would be unlikely to be considered unacceptable, were they being considered as part of a detailed planning application. This is by virtue of the scale, siting and appearance of the illustrative dwelling. It is further noted that several of the representations received have focused on the reserved matters that do not form part of this current application. Therefore at this stage, little weight can be given to them.
- 5.10 It is recognised that the proposed development plot is relatively small compared with some of the larger dwellings in the village, with particular reference to the detached dwelling opposite. However, it is clear that there is a mix of house sizes and designs in the surrounding area.
- 5.11 When approaching the village from the west, the converted chapel is visible, announcing the start of the linear form of development that is prevalent in the western part of the village, which is covered by the Conservation Area boundary. The only noticeable exception to the typical built form is Talbot House and the public house to the east, which are built hard up to the back of the pavement.
- 5.12 Any new form of development needs to reflect the existing built form. It is considered that the location of the site, which is located adjacent to an existing dwelling, is capable of accommodating a dwelling that is in keeping with the existing linear nature of development. It is likely that an acceptable form of development would require the building being brought forward to be more in line with the converted chapel.

- 5.13 It is considered that the site is capable of accommodating a dwelling designed to be responsive to its environment and proportionate to the plot size. Any design would need to respond to the converted chapel building, which is a non-designated heritage asset; and the character and appearance of the Conservation Area. However, schemes that do not consider and respond positively to this context are unlikely to be supported.
- 5.14 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Hornby Conservation Area. The NPPF also requires consideration to be given to the effect of an application on the significance of a non-designated heritage asset in determining applications. In this instance the converted chapel building is considered to be a non-designated heritage asset.
- 5.15 The Conservation Area covers a mainly residential area, accommodating dwellings with a predominantly linear built form on either side of the main road passing through the village. The conversion of the chapel has introduced more domestic elements to the building, albeit the work has been done sensitively and it retains elements of its original character. However, it is clearly in use as a dwelling and is viewed in this context. Therefore the introduction of an additional dwelling into this setting would preserve the existing character of the Conservation Area and converted chapel building. Further consideration of the impact of the design on these elements would be made at reserved matters stage.

Residential Amenity

- 5.16 The main impact to consider is in relation to the occupiers of the converted chapel – Field Gate House. The curtilage to the rear of the dwelling is relatively constrained, therefore this rear amenity space is particularly sensitive as it provides the main area of private outdoor amenity. It is considered that a scheme for a dwelling, that has been sensitively designed, could be achieved on the site and not result in an adverse level of harm to residential amenity.

Highways

- 5.17 There is an existing access to the front of the site. It is considered that the site is capable of accommodating suitable access arrangements. Therefore the Highway Authority has raised no objections.

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; (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. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the scale of the proposed dwelling; (b) the layout of proposed building(s) and space(s) including parking areas; (c) design and external appearance of each

building, including a schedule of external materials to be used; (d) the means of access to the site; (e) the landscaping of the site.

3. 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 in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
4. 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 building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority: vehicular turning and parking arrangements.
5. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 4 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.
6. 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.
7. 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 6 above.

The reasons for the above conditions are:

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990.
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 is commenced.
3. In accordance with policy DP3 and in the interests of highway safety.
4. In accordance with policy DP3 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
5. In accordance with policy DP3 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
6. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
7. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43

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.