

Parish: Romanby

Ward: Romanby

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Committee Date: 2 March 2017

Officer dealing: Mr Kevin Ayrton

Target Date: 25 November 2016

Date of extension of time (if agreed):

16/02147/FUL

**Construction of 3 dwellinghouses, associated parking and access and the formation of 2 additional parking spaces for existing dwellinghouse
At land at the south of St Paulinus Drive and St Cuthbert Drive, Romanby
For Mr B Rennison**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site comprises a long strip of land sited at the bottom of St Paulinus Drive and St Cuthbert Drive, Romanby; both are cul-de-sacs with a turning head at the bottom end. The site is well connected to Northallerton town centre, which is approximately 1.3 km to the north east, accessed via Romanby Road.
- 1.2 The properties along both roads comprise a mix of two-storey, semi-detached dwellings, some with first floor accommodation within the roof space, albeit there are detached properties located at the entrance to both roads.
- 1.3 The site is approximately 0.11 hectare in size; its length is 80 metres; and its width is 14 metres. It is separated from the end of the cul-de-sac by a timber fence with a large evergreen hedge running the length of the boundary. The site is grassed with a number of small trees and some ancillary residential structures. It is separated from the land to the south, which appears to be in agricultural use, by a fence, which delineates the extent of the site ownership.
- 1.4 The proposal is for the construction of three dwellings comprising a pair of semi-detached, two-storey dwellings and a detached two-storey dwelling, all with first floor accommodation within the roof space. The buildings have been sited to follow the existing building lines down both St Cuthberts Drive and St Paulinus Drive, although they are separated by a stretch of grass, which adjoins the existing properties at the bottom end of the roads.
- 1.5 The dwellings would be accessed via a new driveway, which would extend to the side of the St Paulinus Drive turning head, passing through the front garden of 21 St Paulinus Drive, which is occupied and owned by the applicant. The drive would then pass through the site to serve the parking areas of the host property and proposed dwellings.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 There is no relevant history relating to the applications site.
- 2.2 Several letters of objection make reference to the refusal of a planning application (14/02609/FUL) by Persimmon Homes for 56 dwellings on land approximately 30m to the south, to the rear of 56 Ainderby Road, on 21 April 2016.

3.0 RELEVANT PLANNING POLICIES

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 DP8 –Development Limits
Development Policy DP9 – Development outside Development Limits
Development Policy DP10 – Form and character of settlements
Development Policy DP30 – Protecting the character and appearance of the countryside
Development Policy DP32 – General Design
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Environmental Health Officer (Contaminated Land) – No objection.
- 4.2 Parish Council -No comments received.
- 4.3 Highway Authority - No objection subject to conditions.
- 4.4 Public comments - Ten representations were received objecting to the scheme as submitted, with a further seven representations reiterating those objections in respect of the amended plans. The representations make the following comments:
- There is no justifiable reason for building on a greenfield site;
 - Risk that this could open the door for other larger development in future;
 - The Persimmon Homes development for 56 dwellings received a very large number of objections from residents in the Romanby area;
 - The Persimmon Home application was turned down because the site lies beyond the Development Limits of Romanby. The proposal would therefore form be a form of unsustainable development causing environmental harm;
 - Near accidents with speeding traffic on Chantry Road;
 - The design of the new layout is basically to fit the shape of the land rather than enhance the surrounding area or fit in with the already existing properties;
 - The curvature of the access road onto St Paulinus Drive would result in local residents suffering from glare from vehicle lights;
 - Loss of light to nearby dwellings;
 - There is no need for new housing especially taking into consideration the North Northallerton Development Area;
 - Increased volume of traffic in and out of St Paulinus Drive could put children's lives at risk;
 - Loss of views across open fields;
 - Restrictive covenants constraining development;
 - Proximity to sewage works; and
 - The Council has a housing land supply in excess of 5 years so there is no housing, economic or social need for the proposed development.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of residential development in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on the amenity of neighbouring occupiers; and (iv) highway safety.

Principle

- 5.2 The site is located outside, but adjoins the Development Limits of Northallerton and Romanby, which extend along the northern boundary of the site. Policy CP1 indicates that development that would significantly harm the natural environment will not be permitted. Core Policy CP2 indicates that development should be located so as to minimise the need to travel by private car. 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.
- 5.3 The explanation for Policy CP4 indicates that the policy is intended to create sustainable communities and to focus development within settlements where it will help to support the use of local infrastructure and facilities. It says that this approach helps to reduce the need to travel by car. This is expanded upon in Policy DP8, which states that Development Limits exist to achieve a number of objectives, including "to prevent the outward spread of development from settlements".
- 5.4 It is also necessary to consider the more recent national policy in the form of the National Planning Policy Framework (NPPF) published in March 2012. This is an important material consideration. Two of the core planning principles contained in Paragraph 17 are that planning should be genuinely plan-led and actively manage patterns of growth. Paragraph 49 also states that housing applications should be considered in the context of the presumption in favour of sustainable development. This is consistent with paragraph 14 of the NPPF, which confirms that the presumption in favour of sustainable development should be seen as a golden thread through decision-taking.
- 5.5 The challenge for the Local Planning Authority is to deliver consistency in its decision making, which is reflective of both the Development Plan and NPPF. Development Limits are an effective tool in achieving this. Arguably it is for the emerging Local Plan to properly consider the way in which settlements should grow and for the time being to continue to apply the policies (in this case Development Limits) relating to housing supply and settlement form until changes (e.g. allocations, amendments to the Development Limits) are formally made in any future adopted Local Plan. There is no evidence that such an approach would be harmful to the Council's requirement to identify and deliver a five-year supply of housing.
- 5.6 It is accepted that whilst the site falls beyond the Development Limits, the fact that it adjoins a Service Centre, supports the view that the site would minimise the need to travel and would help to support the use of local infrastructure and facilities in accordance with the requirements of the NPPF. However, whilst the proposal is relatively small in scale, it would result in unplanned outward spread and have a degree of impact on the wider infrastructure (e.g. highways, education) which is as yet, unplanned for. It may be that the development of three dwellings in isolation would not have a material impact on local infrastructure. However it would fail to deliver some of the benefits that can be achieved through sites allocated in the Local Development Framework (e.g. affordable housing).
- 5.7 Were this application to be approved it would also weaken the Council's ability to resist other sites adjoining the Development Limits of Service Centres throughout the District undermining the plan led approach to the delivery of development. In this regard, it is important to note that there is no policy provision relating to Service Centres that would permit exceptions to Development Limits by reason of the scale of the proposal. Therefore while three dwellings might not seem a significant breach of policy, the principle is identical for proposals of three, thirty or three hundred dwellings.

- 5.8 This leads to the conclusion that the principle of development cannot be supported because of the conflict with policies CP4 and DP8.

Character and appearance

- 5.9 Other policies in the Development Plan require consideration to be given to the impact of the development on the surrounding and natural built form. The surrounding area is typical of a suburban area. There is a consistency in the type of dwellings in terms of layout, form, scale and appearance. The proposed dwellings are consistent with those found along St Paulinus Drive and St Cuthbert Drive.
- 5.10 The plans have been amended during the consideration of the application, which saw the dwellings reduced from two storeys in height. This was because it was considered that the height of the dwellings should be consistent with those closest to the application site. The design of the dwellings, which is not of a particularly high quality in their own right, is consistent with the design of the existing dwellings in the surrounding vicinity.
- 5.11 It is recognised that the proposed site layout does have some compromises. The supporting planning statement explains why it is not possible to simply enter the site at the top end of the turning head because of a ransom strip restricting access. As a consequence the access to the site passes close to the front of 21 St Paulinus Drive, to gain access into the site. However, once in the site, the spacing around the buildings is generally consistent with the surrounding area.
- 5.12 The development includes a detached dwelling at the end of the St Paulinus Drive side of the development. Whilst the dwellings along this road are mainly semi-detached, the actual form and footprint of the development will be similar and is considered to be acceptable. Therefore it is concluded that the proposed development would be largely in keeping and would not have a detrimental impact on the character of the built environment.
- 5.13 The site is currently undeveloped, but separated from the agricultural land to the south by boundary treatments. Indeed the character of the site, whilst not typically residential due to its shape and content, is distinct from the land beyond. However, whilst accommodating some outbuildings, its general character is still open, particularly when viewed from within the site. Because of this context, the impact on the surrounding countryside would not be significant, however there would be a change to site's transitional character and appearance and an erosion of the buffer between the edge of development and the countryside.

Residential Amenity

- 5.14 Policy DP1 seeks to protect the amenity of neighbours. The siting, separation and orientation of the dwellings will avoid adverse levels of overlooking and overshadowing, most notably to the dwellings to the north of the site. The proposed windows in the north facing elevations will serve ancillary rooms (e.g. bathrooms), which are not considered to be main habitable rooms. It is concluded that the development would not harm the living conditions of the adjoining occupiers.

Highway safety

- 5.15 The plans were amended during the consideration of the application to respond to initial concerns raised by the Highway Authority. This resulted in the access road being increased to five metres in width so that two vehicles are able to easily pass. The parking arrangement to serve 21 St Paulinus Drive was also amended to allow for an improved access to plot one.

- 5.16 The amended scheme has been considered by the Highway Authority and it has raised no objection subject to conditions relating to the control of surface water onto the highway, the provision and retention of the parking and the impact of the construction period on the highway.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
1. The proposal would extend residential development outside of the Development Limits of Northallerton (with Romanby) and would result in a change to the site's transitional character and appearance and an erosion of the buffer between the edge of development and the countryside that would be contrary to Local Development Framework Policies CP4, DP8, CP16 and DP30, which seek to protect the openness, intrinsic character and quality of the District's landscape. No exceptional case for development beyond the Development Limits, as allowed for by Policy CP4, has been made.