

Parish: Dalton
Ward: Sowerby & Topcliffe
2

Committee date: 27 April 2017
Officer dealing: Mrs C Strudwick
Target date: 5 May 2017

17/00268/OUT

Outline application for a detached dwelling with details of access for existing and proposed dwellings (all other matters reserved)

At Hilltop, Dalton

For Mr & Mrs M Pollard

This application is referred to Planning Committee as the application is a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is within the curtilage of Hilltop, to the north of Chapel Row, partly beyond the Development Limits of Dalton. There is an electrical substation between the road and the site.
- 1.2 Hilltop and the site are bounded by a mature evergreen hedge, closed boarded fence and soft landscaping, with very little visibility from the street. The site is elevated from the street. There is no Conservation Area or designated historic asset nearby. The localised area is predominately residential, with a car repair garage nearby.
- 1.3 This application seeks outline planning permission for a detached dwelling and formation of a new access for the existing dwelling. The existing access would serve the proposed dwelling.
- 1.4 The only matter for approval at this stage is access. The remaining matters of appearance, landscaping, layout and scale would be for a later application if this is approved.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 08/04396/FUL - Vehicular and pedestrian access; Granted 22 December 2008.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP4 - Settlement hierarchy
Development Policies DP32 - General design
Interim Policy Guidance on housing in small settlements
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Dalton Parish Council – No objection.
- 4.2 Highway Authority – No objection; recommends conditions.

- 4.3 Environmental Health Officer – No objection; the risk of contamination affecting the development or end users is considered to be low; no objection.
- 4.4 Public comment – One comment has been received requesting further information regarding the design of the proposal and stating that works should only take place during reasonable hours.

5.0 OBSERVATIONS

- 5.1 The key determining issues are (i) the principle of housing in this location; (ii) the impact on the character of the area; (iii) the impact on neighbour amenity; and (iv) highway safety.

Principle

- 5.2 LDF policies CP1 and CP2, (which relate to sustainable development and minimising the need to travel) set a general presumption against development beyond Development Limits but policies CP4 and DP9 allow that planning permission can be granted where one or more of six exceptional circumstances are met. 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 appropriate consistent interpretation of the NPPF alongside policies CP4 and DP9, on 7 April 2015 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 could boost overall housing supply and affordable housing provision within the District. The Council's Interim Planning Guidance therefore should also be considered.
- 5.4 Dalton is a Secondary Village and therefore considered a sustainable location for small scale development by the IPG. It is noted that the site is close to other properties within the settlement and close to local facilities and that the front part is within Development Limits. The siting of the proposed dwelling is not for decision at this stage, however, given the location and extent of the site, it would relate well to the existing settlement and would therefore be acceptable in principle, subject to detailed consideration of the design, layout and relationship to neighbouring properties at the reserved matters stage.

Character of the area

- 5.5 The area is predominately residential and a dwelling here would not be incongruous. The site is will screened by the hedge, fence and electrical substation. Views into the site would be limited. As a result of an additional access point on the road there would be a loss of a portion of the planting and landscaping, however is it considered that this would not have an unacceptable impact on the character of the area.
- 5.6 The indicative plan shows a dwelling which almost entirely fills the width of the plot. It is acknowledged this is an outline application, with appearance, layout and scale for later reserved matters, however careful consideration must be given to how the

space within the plot is used, the positioning of the dwelling and its proximity to the boundaries.

Neighbour amenity

- 5.7 The proposal includes indicative details of layout, however this detail is not for formal decision. With the external appearance and precise position of windows to be determined at a later date, it is considered that a dwelling here could be designed in a manner to ensure that overlooking and privacy would not be adversely affected.
- 5.8 The existing access to Hilltop would be handed over to the proposed dwelling, whilst the new access for consideration in this application would be for the use of occupiers at Hilltop. Overall it is considered that there would be no significant harm to the amenities of residents arising from both elements of this proposal.

Highway safety

- 5.9 The Highway Authority raises no objection in principle. In view of this advice, it is considered that the additional traffic associated with two dwellings would not have a significant impact in terms of highway safety. The access could be accommodated safely within the space. Therefore it is not considered that highway safety would be compromised.

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 all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three 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 permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) and/or details received by Hambleton District Council on 2017:08/03B unless otherwise agreed in writing by the Local Planning Authority.
 3. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the means of access to the building plot(s), (b) the siting, design and external appearance of each building, including a schedule of external materials to be used; (c) the landscaping of the site; (d) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (e) the scale (including the number) of buildings overall.
 4. 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.
 5. 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: (d) The crossing of the highway verge and footway shall be constructed in accordance with Standard Detail number E6; (e) Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway; (f) That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10; and (h) The final surfacing of any private access within 2 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

6. 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: (a) vehicular parking; and (b) vehicular turning arrangements. No part of the development shall be brought into use until the approved vehicle parking and turning areas have been constructed in accordance with the submitted details. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
7. 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.
8. 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.

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. 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 Policy(ies) CP1, DP1, CP17, and DP32.
3. 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.

4. In the interests of highway safety.
5. In the interests of highway safety.
6. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development
7. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
8. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

Informatives

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 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 Hambleton District Council - Waste and Streetscene.

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.

2. You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.