

Parish: Raskelf
Ward: Raskelf & White Horse
5

Committee date: 27 April 2017
Officer dealing: Laura Chambers
Target date: 2 May 2017

16/02803/OUT

**Outline application (all matters reserved) for the construction of three dwellings
At Land to west of Green Acres, The Green, Raskelf
For Mr Paul Johnson**

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

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is currently the domestic curtilage of Green Acres, which occupies a substantial plot to the south of Hag Lane. The village of Raskelf is principally a linear settlement centred on North End, however a small cluster of properties, known as The Green, are located to the south on Hag Lane, this area is closely associated with and easily accessible from the main part of the village, although it is beyond Development Limits.
- 1.2 This part of the village has a range of properties of varying eras, styles and materials although they are broadly more modern developments than the more historic centre of the village. The majority of properties follow the sweep of Hag Lane, with the exception of Green Acres itself, which is positioned to the south of the plot, well set back from the road it does not follow the established building line.
- 1.3 Permission is sought in outline for residential development in a paddock to the west of the existing dwelling, which would still retain a substantial garden. The existing access would be used and a private drive serving all four properties formed.
- 1.4 The indicative layout shows 3no detached dwellings in a linear layout, infilling the area between Green Acres and 1 The Green. The layout also indicates garages and in curtilage parking for each property could be achieved. The supporting statement outlines that the properties would be between 141sqm and 165sqm, which exceed the national space standards requirement.
- 1.5 The matter for approval at this stage is the principle of development as all other matters are reserved and would form part of a later application if this is approved.
- 1.6 Improvements have been secured as follows: an alternative indicative layout has been provided to take account of the sewer and easement identified by Yorkshire Water.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 94/51021/O – Outline application for the construction of 2 detached dwellinghouses with domestic garages; Refused 22 March 1994, appeal dismissed 23 January 1995.

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 DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
Development Policies DP9 - Development outside Development Limits
Development Policies DP10 - Form and character of settlements
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
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 – No objection.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Yorkshire Water – The initial indicative layout was noted to conflict with a sewer across the site and that no development could take place over it or within associated easement. (No comment has been made in respect of the revised indicative layout.)
- 4.4 Environmental Health Officer – No objection.
- 4.5 Public comment – None received.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) character of the area; (iii) residential amenity; and (iv) the Yorkshire Water sewer.

Principle of Development

- 5.2 The site falls outside of Development Limits of Raskelf, Policy CP4 states that all development should normally be within the Development Limits of settlements. 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 National Planning Policy Framework (NPPF).
- 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 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 settlement hierarchy contained within the IPG, Raskelf is defined as a Secondary Village and therefore is considered a sustainable location for development; satisfying criterion 1 of the IPG that proposed development must provide support to local services including services in a village or villages nearby. However, it is necessary to consider whether the site can be viewed as within Raskelf, being approximately 380m (by road) beyond Development Limits.
- 5.5 The village of Raskelf has two parts; the proposed development is within The Green area to the south of the main village and this area is beyond Development Limits. Notwithstanding that, this area is closely associated with the main part of the village being approximately 250m apart at its closest point and linked via a lit footpath that enables residents to access services, including the recreation ground which is located between the two parts of the settlement.
- 5.6 Although there is a separation between the two areas, The Green area does not appear isolated and the site lies between existing properties within this part of the settlement. There is a well-defined boundary to the south of the site with a line of mature trees demarking this part of the settlement from the open fields beyond.

Character

- 5.7 The area is characterised by dwellings within well-proportioned plots, however there is a variety of architectural styles some of which are traditional and others more modern. Although matters of design and appearance would be dealt with at reserved matters stage there is nothing to suggest that appropriately designed dwellings could not be achieved on the site without detracting from the character of the area. The indicative layout demonstrates dwellings with suitably proportioned plots that would be in keeping with other properties in the vicinity.

Residential Amenity

- 5.8 The indicative layout is of a linear form and therefore the proposed properties would sit side by side with number 1 The Green and Green Acres itself thereby minimising the prospect of negatively affecting privacy or light to adjacent occupiers. The side elevation of Claro House to the north of the site is 39m from the proposed front elevation of plot 1, and therefore a suitable separation distance can be achieved.

Yorkshire Water Sewer

- 5.9 Yorkshire Water has advised that the indicative layout initially submitted showed buildings over the line of sewers across the site and would not therefore be acceptable. Although the layout of the proposed development may be subject to change at reserved matters stage, a revised indicative layout has been submitted to demonstrate that three dwellings could be accommodated on the site without building over the sewer or associated easement.
- 5.10 Further investigative work would be required to ensure the sewer is located where it is shown on the plan from Yorkshire Water and this would inform a reserved matters application, however on the basis of the information currently available it would be possible to accommodate three dwellings on the site in principle.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission 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) numbered 1684/1 and supporting documents received by Hambleton District Council on 03/01/17 unless otherwise approved in writing by the Local Planning Authority. The number of dwellings shall not exceed three.
3. 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.
4. No above ground construction work shall be undertaken 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. Any such scheme as may be approved shall be implemented on site prior to occupation of the dwellings hereby approved. 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. 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 requirement: The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6VAR. 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 accesses; (b) Vehicular parking; and (c) Vehicular turning arrangements. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring 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: (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; and (ii) 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 are:

1. To ensure compliance with 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 Policies CP1, 2, 4, 16, 17 and 21.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole.
4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
5. In accordance with Policy CP2 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.
6. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
7. In accordance with Policy CP1 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
8. In accordance with Policy CP1 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.

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 Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in condition 5.