

Parish: Sinderby
Ward: Tanfield
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Committee Date: 27 April 2017
Officer dealing: Caroline Strudwick
Target Date: 5 May 2017

17/00196/FUL

Demolition of dwelling and construction of a 2 bedroom dwelling & a 4 bedroom dwelling
At White House Cottage, Sinderby
For Mrs Sandra Brittain

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

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies towards the southern end of Sinderby, on the western side of the main street through the village.
- 1.2 White House Cottage is a two-storey, three-bedroom cottage, on the north eastern corner of the site. The site has a wide frontage onto the main street, extending 21.5m. Church Farm is to the north east of the cottage, and Aspen House to the south west. White House Cottage is proposed for demolition as the house is reported to be poorly insulated, damp and has evidence of structural movement.
- 1.3 Improvements have been secured; the scheme been significantly altered from the original submission. The final scheme seeks to replace White House Cottage and its associated outhouses with a two-bedroom house to the rear of the White House Cottage footprint and a four-bedroom house to the south west of this. Parking and cycle and bin storage is proposed to the rear of both dwellings. The design of both the dwellings is a traditional brick and pantile construction, with sash windows and hardwood doors. Both houses would be set back from the front of the plot, with the smaller two-bedroom dwelling to be in line with Church Farm to the north and the larger four-bedroom dwelling to be set further back through discussions with the neighbour at Aspect House in order to protect lighting and outlook of the kitchen window on the northern elevation of Aspen House.

2.0 RELEVATION PLANNING AND ENFORCEMENT HISTORY

- 2.1 None.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
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
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
Development Policies DP32 - General design
National Planning Policy Framework - published 27 March 2012
Interim Policy Guidance on housing in small settlements

4.0 OBSERVATIONS

- 4.1 Parish Council - No comments in support or objection, but notes that the application form incorrectly stated the proposal is for three and four bedroom properties.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Environmental Health Officer - No objection.
- 4.4 Public comments - Three representations were received in respect of the original scheme:
 - Concern that the two-bedroom dwelling would block all light into the kitchen window in the side elevation of Aspen House;
 - Concern regarding the impact on the amenity of Church Farm due to the proximity of the proposed development;
 - The massing of two dwellings on the site would detract from Church Farm's charm and character; and
 - The scheme should be switched round, so the larger house is on the other side. The house is too large for the location within the village and should also be reduced.

As a result of discussions with officers and neighbours the scheme has been amended and is now supported by all those who previously objected. No further objections have been received.

5.0 OBSERVATIONS

- 5.1 The issues to be considered include (i) the principle of creating an additional dwelling unit in this location; (ii) the impact of the proposed development on the character and appearance of the surrounding area; (iii) the impact on residential amenity; and (vi) any impact on highways.

Principle

- 5.2 The site falls outside Development Limits as Sinderby 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 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 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, Sinderby 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 facilities within Sinderby comprise a village hall. The only settlement within approximately 2km is Pickhill, which is a Secondary Village in the Settlement Hierarchy. It is accessible from Sinderby by the unlit road, which has no footway. Whilst Pickhill has a pub, a primary school and a church, there are no cycle paths, footpaths or bus routes linking the two villages. Crucially however, the distance between Sinderby and Pickhill by road is less than 2km, which is considered to be an acceptable separation allowed for in the IPG. It is considered that Sinderby and Pickhill are capable of forming a sustainable cluster of villages with sufficient facilities and services to support a sustainable community and would satisfy criterion 1.

Character and appearance

- 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 site frontage is located within the built form of the village and as such is considered to be compliant with the IPG in these terms. The red edged land extends well beyond the normal depth of development within the village; however, the agent has provided an amended plan showing only the first 45 metres forming a residential curtilage, with the land beyond remaining a paddock.
- 5.6 The existing dwelling is not particularly attractive; it is closer to the village street than the development on either side of it and faced in pebble dash. The proposed replacement dwellings would improve the appearance of the village in terms of its siting in line with the prevailing building line, by mirroring the ridge and eaves heights of existing development and in terms of its architectural quality and materials.

Residential amenity

- 5.7 The site is already in residential use but approval of the application would effectively double the number of households. It is considered that the proposed subdivision of the site would result in adequate amenity space for each of the proposed dwellings and would provide private space for the properties.
- 5.8 Concern has been raised by the neighbours of either side of the site regarding a loss of residential amenity through overshadowing. The neighbour at Aspen House had concerns that plot 1 would block natural light from entering a kitchen window on the northern side elevation, which is the sole window to the kitchen. In response to this concern the proposed dwelling has now been pushed back into the plot and away from this window. The building lines and the depth of frontages along the main street vary, a dwelling in this revised position would not interrupt a well-defined building line and it is considered that it would not harm the form of the village.
- 5.9 As well as being positioned deeper into the plot, the proposed dwellings have been swapped around so the larger house would be next to one of a similar size, Aspen House, and the two-bedroom, smaller dwelling would be adjacent to the smaller Church Farm. The dwelling on plot 2 would be sited to the rear of the current footprint of White House Cottage, in line with the adjacent dwelling at Church Farm. There would be an improvement in the outlook from the front rooms of Church Farm compared with the current relationship with White House Cottage. The smaller dwelling would not extend as far back, also relieving any concerns regarding any potential overshadowing the larger dwelling may have caused in this position. As a result of the changes to the scheme, it is considered that there would be no unacceptable loss of residential amenity to those living at Church Farm, through overshadowing, nor through overlooking.

Highway impact

- 5.10 Subject to appropriate conditions being placed on any consent granted, the Highway Authority has raised no objection and therefore no adverse highway impact is anticipated.

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. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 2166.03C, 04, 05 received by Hambleton District Council on 10th April and 19th Jan 2017 unless otherwise approved in writing by the Local Planning Authority.
 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. 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 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 footway shall be constructed in accordance with the approved details and Standard Detail number E6; and (h) The final surfacing of any private access 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. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing reference "site layout". Once created these parking 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 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 Policies CP1, DP1, CP16, DP28, CP17 and DP32.
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 in accordance with Hambleton Local Development Framework Policy CP17.
4. In the interests of highway safety
5. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
6. To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of 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 its own Waste and Street Scene 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.

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.