

**Parish: Sandhutton**

Ward: Thirsk

**11**

Committee date: 22 June 2017

Officer dealing: Caroline Strudwick

Target date: 27 June 2017

**17/00794/FUL**

**Construction of one detached dwellinghouse**

**At The Paddock, Sandhutton**

**For Mr and Mrs Kane**

**This application is referred to Planning Committee as the proposed development is considered to be a departure from the Development Plan**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The 2,325sqm triangular shaped application site is to the south of the property known as The Paddocks. The site is on the western site of the A167, at the south end of the village, outside the Sandhutton Conservation Area.
- 1.2 Opposite the site is the Three Tuns Garage, and to the south of this is the access to the Sandhutton Herb Growers site. The site has a mature hedge to the south east and south west boundary. The village lies to the north and east of the site, to the west is level agricultural land and a pig fattening unit.
- 1.3 This application seeks permission for the construction of a three-bedroom bungalow with the creation of a new access towards the southern corner of the site off the A167. The original scheme proposed a brick detached garage in the north eastern corner of the site. There were concerns regarding the prominent position of this on the frontage, this element of the scheme has now been removed.
- 1.4 The shape of the dwelling is an "H", with the bedrooms and bathrooms in the southern leg and the kitchen and family room in the northern leg. The middle section would accommodate the entrance, a study and a living room. Through discussions with the agent the middle section has been dropped from the original ridge height to below the ridge heights of the two legs of the H. These break up the ridge line of the development, and introduce some subservience and variety.
- 1.5 Improvements have been secured as follows: the ridge height of the middle section has been dropped and the garage has been removed in its entirety from the scheme.

**2.0 RELEVANT 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 CP16 - Protecting and enhancing natural and man-made assets  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP17 - Promoting high quality design  
Core Strategy Policy CP2 – Access  
Development Policies DP10 - Form and character of settlements

Development Policies DP28 - Conservation  
Development Policies DP3 - Site accessibility  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation  
Development Policies DP9 - Development outside Development Limits  
Interim Guidance Note - adopted by Council on 7th April 2015  
National Planning Policy Framework

#### **4.0 CONSULTATIONS**

- 4.1 Parish Council – A series of questions were submitted and have been answered by officers. The Parish Council's views on the application are awaited.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Environmental Health Officer – No objection.
- 4.4 Public comments – One objection has been received, stating that the access will encroach on the entrances to the businesses opposite; and that the development of this site would set a precedent for further development beyond Development Limits.

#### **5.0 OBSERVATIONS**

- 5.1 The main issues for consideration in this case relate to (i) the principle of allowing the dwelling proposed in this location; (ii) the impact upon the character and appearance of the area; (iii) highway safety; and (iv) neighbour amenity.

##### Principle

- 5.2 The village of Sandhutton does not have any Development Limits as defined within policy CP4 of the Core Strategy. Policy DP9 states that development will only be granted for sites 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".

The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.

- 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 2014. Within this updated hierarchy Sandhutton has been designated as a Secondary Village.

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 As Sandhutton has been designated a Secondary Village in the Settlement Hierarchy 2014 it is therefore classed as a sustainable settlement and 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". This goes on to state that "Proposals which are small in scale and which provide a natural infill or extension to an existing settlement will be considered favourably where they also conform with other relevant LDF Policies". It is noted that development of the site would extend the built form of the village in line with development on the east side of the A167, rather than extending it out in isolation.

5.6 It is important to consider the likely impact of the proposed development with particular reference to criteria 2, 3 and 4 of the IPG. The proposed dwelling would be within a paddock which contributes to the rural character and setting of the village. The following detailed advice within the IPG is considered to be relevant:

"Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."

"Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."

#### Character, appearance and built form

5.7 It is considered that the construction of a dwelling opposite a vehicle repair garage and adjacent to an existing dwelling would have minimal visual impact upon the rural character of the area. The design achieves a progression of height and with the dropped ridge height in the centre of the building adds interest and a break in the otherwise uniform roofline. This appropriately creates a transition from open countryside to the built form of the village. The development would form a logical end (or beginning) to the village as the built form would mirror the position of the vehicle repair garage to the east.

5.8 As such it is considered that the development proposed would appropriately respect the general built form of the village. It is also considered that the development is

capable of being accommodated within the existing infrastructure (both social and utilities). In principle therefore this proposal satisfactorily complies with paragraph 55 of the NPPF and is consistent with the approach set out in the IPG.

- 5.9 The general design and materials are considered appropriate to this site and the extensive landscape screening the boundaries would help to integrate the new development within the area. The existing boundary planting is to be retained and a landscape condition recommended to ensure satisfactory planting and boundary treatment to the south east and south west boundaries.

#### Highway safety

- 5.10 The applicants have held extensive discussions with officers of the Highway Authority and advise that the position of the access has been selected entirely on the Authority's advice. It is considered that, subject to conditions recommended by the Highway Authority, that the access is appropriate.

#### Neighbour amenity

- 5.11 Due to the siting of the proposed dwelling and the level of landscape screening to the boundaries it is considered that the proposal would not have any significant harmful impact upon the amenities of the neighbours through overlooking or loss of privacy.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission 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 2017:01/06 Rev C, 01/07 Rev C, 01/02 Rev C & 01/01 Rev D received by Hambleton District Council on 01 June & 7th April 2017 unless otherwise approved in writing by the Local Planning Authority.
3. 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 has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirement: The crossing of the highway footway shall be constructed in accordance with the approved drawing reference 2017:01/06 Rev.C and Standard Detail number DC/E9A. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
4. 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 drawing (Reference 2017:01/06 Rev. C). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
5. 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. 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

6. 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.
7. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
8. No part of the existing boundary hedge along the south western and south eastern boundaries of the site shall be uprooted or removed and the hedge shall not be reduced below a height of 1.8m other than in accordance with details that have been submitted to, and approved by, the Local Planning Authority.

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 Policies CP1, DP1, CP16, DP28, CP17 and DP32.
3. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
4. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
5. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
6. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
7. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Development Framework Policy CP1, DP1, CP17 and DP32.
8. The trees are of important local amenity value and protection of the trees is appropriate in accordance with Local Development Framework Core Strategy Policy CP16.

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](http://www.hambleton.gov.uk) or by telephoning 01609 779977.

2. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.