

Parish: Sowerby
Ward: Sowerby and Topcliffe
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Committee date: 20 July 2017
Officer dealing: Mrs C Strudwick
Target date: 27 July 2017 (requested)

17/00982/OUT

**Outline approval for a detached two storey dwelling
At Howebridge, 5 Blakey Lane, Sowerby
For Mr and Mrs Robinson**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is within the domestic curtilage of Howebridge, to the south of the existing dwelling. The land comprises a mix of open lawn area with trees and bounded to Blakey Lane by a mature hedge. Parkland railings and timber gates between stone gates posts frame the tarmac driveway that leads from Blakey Lane to the dwelling.
- 1.2 Howebridge is a substantial stone modern two storey house within an extensive landscaped garden. There are stables to the east and a paddock running along the southern boundary.
- 1.3 Cod Beck lies to the east although the site is not within Flood Zone 2 or 3. The finished floor level of the new dwelling is indicated to be 32m above Ordnance Datum (AOD), the existing dwelling finished floor levels are 33.11m AOD. The topographical survey of the area shows the manhole cover just outside the access point on to Blakey Road to be 30.66m AOD. The site for the dwelling is higher than the access as the land slopes upwards from Cod Beck to the site area.
- 1.4 The application seeks approval of the principle of residential development for a single dwelling and for approval of the means of access. The remaining matters of appearance, landscaping, layout and scale would be for a later application if this is approved.
- 1.5 The indicative layout shows the dwelling footprint to fall within the Development Limits of Sowerby, with the domestic curtilage extending eastward and beyond Development Limits. The entire site is within the Thirsk and Sowerby Conservation Area.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 81/1066/FUL - Construction of a block of three stables at Part OS 0039, Sowerby; Granted 24 September 1981.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Policy CP1 - Sustainable development
Development Policy DP1 - Protecting amenity
Development Policy DP28 – Conservation
Core Policy CP16 - Protecting and enhancing natural and man-made assets
Core Policy CP2 – Access
Core Policy CP4 - Settlement hierarchy
Development Policy DP3 - Site accessibility
Development Policy DP8 - 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
Development Policy DP33 – Landscaping
Development Policy DP4 - Access for all
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council – Has offered no comment on the merit of the proposal but requests that the application is determined by Planning Committee.
- 4.2 Highway Authority – Comments awaited.
- 4.3 Ministry of Defence – No safeguarding objection.
- 4.4 Public comments – None received as a result of direct notification. As the site lies within the Thirsk and Sowerby Conservation Area the application has been given additional publicity in the local press. This period for comment arising from this will not expire until 31 July. At the time of writing this report no comments have been received.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) the means of access from Blakey Lane; (iii) the loss of amenity space associated with the existing house; and (iv) the impact on the Thirsk and Sowerby Conservation Area.

Principle

- 5.2 The part of the site which is indicated to accommodate the footprint of the dwelling is within the Development Limits of Sowerby. The village of Sowerby is grouped with Thirsk in the Settlement Hierarchy 2014 and is deemed a Service Centre. Policy DP8 of the Hambleton Local Development Framework states that development will be granted permission within the settlement Development Limits, provided it is consistent with other LDF policies.
- 5.3 The principle of development is therefore acceptable in this location.

Access

- 5.4 The application indicates that the proposed dwelling would share the existing vehicular access from Blakey Lane with Howebridge. The traffic volumes and speeds on this part of Blakey Lane are relatively low due to the width restriction on Blakey Bridge. A response from the Highway Authority is awaited but in the absence of any other evidence there is no reason to conclude that the additional traffic that would be generated by a single dwelling would create conditions that would be unsafe or exceed the capacity of the local highway network.

Loss of amenity space

- 5.5 Howebridge has an extensive curtilage, including grazing land to the south. The domestic curtilage extends some 46m to the east of the Development Limits and is, at its widest point, 42m north to south. The area of domestic curtilage remaining for Howebridge and proposed for the dwelling exceeds the minimum requirements of the LDF policies.

Impact on the Conservation Area

- 5.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Thirsk and Sowerby Conservation Area.
- 5.7 The site is well screened by existing development from Front Street. There is a public right of way to the east, across Cod Beck, given the distance from the right of way and the level of vegetation between any public views and the site it would not be possible to demonstrate significant harm would occur to the appearance of the Conservation Area. Public views from Blakey Lane would be restricted by the boundary hedges to the Lane as such the proposed dwelling would not be prominent in views from Blakey Lane or the public access land to the north of Blakey Lane.
- 5.8 Whilst the site appears to be form an intrusion to otherwise undeveloped land within the Conservation Area the consideration of the impact has shown that the proposed dwelling would sit in line with the existing dwelling and relate to the build development to the west on Blakey Close. Overall it is considered that it would lead to less than substantial harm to the Conservation Area.
- 5.9 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.10 There would be a loss of trees to allow the construction of the dwelling. A tree report and map should be submitted at the reserved matters stage showing which trees would be felled and which would be retained. The loss of any trees could cause harm to the character and appearance of the Conservation Area however it is envisaged that a scheme could be devised that would allow for the retention of more important trees whilst accommodating a new dwelling.

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 development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the layout and appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site.
 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. (Other such highways related conditions as may be required.)

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 Policy 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. To protect the safety of highway users.

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