

**Parish:** Appleton Wiske  
**Ward:** Appleton Wiske & Smeatons  
**2**

**Committee date:** 17 August 2017  
**Officer dealing:** Mr K Ayrton  
**Target date:** 18 August 2017

**17/00308/OUT**

**Outline Application for part demolition of dwelling and construction of two dwellings with new vehicular access**

**At Little Hornby Farm, Hornby Road, Appleton Wiske**  
**For Mrs Wendy Youll**

**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 located at the western end of Appleton Wiske, accessed off Hornby Road, which leads to Hornby and Great Smeaton. There are several detached properties on the same side of the road, which extend out along the roadside, into the wider countryside. The development to the east of the site extends further back from the roadside, and includes some larger scale agricultural buildings.
- 1.2 The site accommodates the end part of a semi-detached (former) farmhouse to the front of the site. This is in a poor state of repair. The rear part of the site forms parts of a wider farm complex, which accommodates a range of farm buildings. These are all relatively low lying and run parallel with the residential development to the front of the site. As with the dwelling, the agricultural buildings appear to be reaching the end of their life, requiring significant repairs to bring them up to standard.
- 1.3 The wider site, which is represented by the blue line on the site location plan, is currently in the joint ownership of the applicant and the adjoin neighbour at Hope House. The land will be eventually split between the two parties, although the exact extent of which is currently unknown.
- 1.4 A separate application (see section 2 below) has made by the other owner for a similar development on land with the blue line area.
- 1.5 The proposal comprises the demolition of (part of) the existing semi-detached property (the main part of the dwelling is located beyond the application site) and replacement with a detached dwelling; and the construction of a dwelling to the rear of the site. It is therefore considered that the proposal would result in a net increase in two dwellings.
- 1.6 The matter for approval at this stage is access. The remaining matters, i.e. appearance, scale, landscaping and layout would be for a later application if this is approved.
- 1.7 Whilst the application is in outline form, an illustrative proposed site plan has been submitted in support of the application.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 16/02735/OUT - Outline application for one replacement dwelling and construction of two new dwellings with new vehicular access; Pending consideration.

**3.0 RELEVANT PLANNING POLICIES**

3.1 The relevant policies are:

Core Policy CP1 - Sustainable development  
Core Policy CP2 - Access  
Core Policy CP4 - Settlement hierarchy  
Core Policy CP8 – Type, size and tenure of housing  
Core Policy CP16 – Protecting and enhancing natural and man-made assets  
Core Policy CP17 – Promote high quality design  
Core Policy CP21 – Safe response to natural and other forces  
Development Policy DP1 - Protecting amenity  
Development Policy DP3 – Site Accessibility  
Development Policy DP4 - Access for all  
Development Policy DP10 – Form and character of settlements  
Development Policy DP13 – Achieving and maintaining the right mix of housing  
Development Policy DP30 – Protecting the character and appearance of the countryside  
Development Policy DP31 – Protecting natural resources: biodiversity/nature conservation  
Development Policy DP32 – General Design  
Supplementary Planning Document – Size, type and tenure of new homes  
Interim Policy Guidance Note – adopted by Council on 7th April 2015  
National Planning Policy Framework - published 27 March 2012  
National Planning Practice Guidance  
Draft Appleton Wiske Neighbourhood Plan

**4.0 CONSULTATIONS**

- 4.1 Parish Council – No observations.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Public comments – One letter of support received.
- 4.4 Environmental Health Officer - No objection; recommends a condition to secure a land contamination assessment.

**5.0 OBSERVATIONS**

- 5.1 The main issues to consider are: (i) the principle of development in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on the amenity of neighbouring occupiers; and (iv) highway safety.

Principle

- 5.2 The site is part within (where the replacement dwelling is proposed) and part outside (where the two new dwellings are proposed) the Development Limits of Appleton Wiske. Policy DP9 states that development will only be granted for development 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".

- 5.3 To ensure consistent interpretation of the NPPF alongside Policies CP4 and DP9, 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.
- 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 In the Settlement Hierarchy reproduced in the IPG Appleton Wiske is identified as a Secondary Village. This status recognises its range of services and facilities and confirms that it is considered a sustainable settlement capable of accommodating small scale development. The proposal would therefore meet criterion 1 of the IPG, in that it is located where it will support local services.
- 5.6 Consideration and reference also needs to be made to the emerging Appleton Wiske Neighbourhood Plan (NP). The Neighbourhood Plan designated area was approved in September 2012 and the Parish Council produced an initial draft plan, which identified a preferred housing site. However, work on the plan has not progressed since. Considering that the Neighbourhood Plan is at a relatively early stage, it can be given only very limited weight.

#### Character and appearance

- 5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings. In this instance the proposal is for two dwellings, one of which will be located within the Development Limits. This scale of development is considered to be an acceptable scale in relation to the guidance and the size and form of Appleton Wiske.
- 5.8 Along with the remainder of criterion 2, criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural and built form.
- 5.9 In making this assessment it is noted that the application is in outline form only with all matters other than access and scale reserved. The character of the area is influenced by the linear residential form along the roadside and the more informal and low key agricultural development to the rear, which integrates with the wider countryside.

- 5.10 It will be important for any development to respond positively to this edge of village character. This should be reflected in both the built form and the spaces around the buildings, ensuring a successful transition. It is unlikely that a standard residential dwelling type would achieve a suitable design solution, with a more appropriate approach taking cues from agricultural forms found in the locality. Boundary treatments, landscaping and materials will all have a role to play in delivering a high quality design in accordance with policy DP32.

#### Residential Amenity

- 5.11 The main consideration will be in relation to the neighbouring properties along the frontage. However, there is sufficient depth to the site to deliver a development that would not be detrimental to existing residential occupiers. These matters can be dealt with at the reserved matters stage.

#### Highway Safety

- 5.12 The local highway authority has considered the application and raised no objection to the application, subject to conditions relating to information required at the reserved matters stage. The principle of the development of the site is not considered to be harmful in terms of road safety.

### **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 the development hereby approved shall be begun on or before whichever is the later of the following dates: (i) Five 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 scale of the proposed dwellings; (b) the layout of proposed building(s) and space(s) including parking areas; (c) design and external appearance of each building, including a schedule of external materials to be used; and (d) the landscaping of the site.
  3. 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.
  4. 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: (i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority; and (ii) The final surfacing of any private access proposed public highway.
  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 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 in consultation with the Highway Authority: (i) vehicular turning and parking arrangements.

6. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 5 are available for use unless otherwise approved in writing by the Local Planning Authority. 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 subcontractors vehicles clear of the public highway (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.
9. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the surface water can be managed, including surface water as a result of the development, managing the risk associated with surface water from elsewhere and all without increasing the flood risk to existing premises.
10. The use of the development hereby approved shall not be commenced until the foul sewage and surface water disposal facilities have been constructed and brought into use in accordance with the details approved under condition 9 above.
11. No development shall be commenced until an assessment of the risks posed by contamination, carried out in line with the Environment Agency's Model Procedures for the Management of Land Contamination CLR11, has been submitted to and approved by the local planning authority. A scheme for the remediation of any contamination shall be submitted and approved by the local planning authority before any development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority.

The reasons for the 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. 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.
3. In accordance with Policy DP3 and in the interests of highway safety.
4. In accordance with Policy DP3 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.
5. In accordance with Policy DP3 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
6. In accordance with Policy DP3 and 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 DP3 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 DP3 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.
9. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.
10. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.
11. In order to take proper account of the risks to the health and safety of the local population, builders and the environment and address these risks in accordance with Hambleton Local Development Framework CP21 and DP42.

#### 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 Neighbourhood 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](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.