

Parish: Sandhutton
Ward: Thirsk
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Committee date: 17 August 2017
Officer dealing: Laura Chambers
Target date: 24 August 2017

16/02529/OUT

**Outline application for a new dwelling with details of access and layout
At Hope Farm East, Sandhutton
For Mr John Beamson**

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 comprises part of the former Hope Farm East, to the south of Mornington Bungalow and surrounded by domestic properties. The site also includes an access from the A167 shared with Mornington Bungalow.
- 1.2 The area is residential in nature with a mixture of both bungalows and two-storey dwellings, the properties at this northern extent of the village are of a more modern appearance than the historic centre of the village accessed from Sandhutton Lane. Mornington Bungalow is not within the Conservation Area but the majority of the site is.
- 1.3 Outline permission is sought for the erection of a dwelling within the centre of the site; this would entail the demolition of the remaining farm buildings.
- 1.4 The matters for approval at this stage are access and layout. The remaining matters, i.e. appearance, landscaping and scale, would be for a later application if this is approved.
- 1.5 Improvements have been secured as follows: a revised site layout has been provided to demonstrate the proposed parking arrangements for both the host and proposed property.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 There is no relevant planning history associated with the site.

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 CP8 – Type, size and tenure of housing
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP6 – Utilities and Infrastructure
Development Policies DP8 - Development Limits
Development Policies DP9 - Development outside Development Limits

Development Policies DP10 - Form and character of settlements
Development Policies DP13 – Achieving and maintaining the right mix of housing
Development Policies DP15 – Promoting and maintaining affordable housing
Development Policies DP28
Development Policies DP30 - Landscape Character
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Interim Guidance Note - adopted by Council on 7th April 2015
Supplementary Planning Document - Size, Type and Tenure of New Homes
National Planning Policy Framework (NPPF)

4.0 CONSULTATIONS

- 4.1 Parish Council – Recommends approval but raises questions about whether the old stone barns are listed and whether access would be through another property.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Yorkshire Water – No comments received.
- 4.4 Environmental Health Officer – No objection.
- 4.5 Public comments – Three objections have been received, summarised as follows:
 - Noise from vehicles using the proposed access;
 - The entrance to the site has been widened without the dropped kerb being widened;
 - Removal of buildings that act as a boundary wall could alter privacy;
 - Loss of view;
 - The existing buildings act as retaining walls to varying ground levels;
 - The application does not specify the size or type of dwelling;
 - The site is a former village quarry with varying levels; there are no details of proposed ground levels.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) access and parking; (iii) impact on residential amenity; (iv) land levels; (v) design; and (vi) heritage assets.

Principle

- 5.2 The site falls outside of Development Limits, Sandhutton having none because of its absence from the settlement hierarchy published in the Core Strategy. 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 revised settlement hierarchy published with the IPG, Sandhutton is defined as a Secondary Village and therefore is now considered a sustainable location for small-scale development; satisfying criterion 1 of the IPG that proposed development must provide support to local services including services in a village or villages nearby.
- 5.5 The site is positioned between other buildings within the built form of the village. As such, if the site were developed it would not be isolated from the village, it would not result in the coalescence of settlements and would not be detrimental to the open character of the surrounding countryside.

Access and Parking

- 5.6 It is proposed that the new dwelling would share the access to Mornington Bungalow with parking for the existing property located to the rear of that plot and access into the new plot being formed through a boundary fence with parking being laid out to the front of the proposed property.
- 5.7 It is noted by neighbours and the Highway Authority that the driveway has been widened but the dropped kerb has not been widened to match. Notwithstanding that, the Highway Authority does not object to the proposed arrangements subject to standard conditions regarding construction of the access (including the amended dropped kerb) being implemented prior to occupation and site management during the construction phase.

Residential Amenity

- 5.8 The proposed property would be located centrally within the plot, allowing for suitable separation between it and the existing dwellings to the west and Mornington Bungalow itself to the north. Details such as room layouts and the position of windows would be a matter of detail to be dealt with at reserved matters stage should this application be approved, however there is nothing to suggest suitable privacy distances could not be achieved.
- 5.9 A farm building on the western boundary of the site effectively forms a boundary with the adjacent domestic gardens of neighbouring properties and therefore its removal would require a replacement boundary treatment. Concerns have been raised by neighbours that this could reduce privacy.
- 5.10 The submitted site plan indicates a new boundary fence or wall would be introduced, however the specifics of this would be a detailed design matter for a reserved matters application. As previously identified, sufficient separation distances can be achieved to protect privacy and amenity within garden areas could be secured with a boundary of suitable height and design. This matter would not warrant refusal of an outline application.

Land Levels

- 5.11 There are varying levels across the site, a neighbouring occupier identifies this as being a result of the site previously being the village quarry. Concerns have been raised that without details of the intended finished ground levels and scale of the proposed dwelling it is not possible to ascertain the potential impact of the proposals. At this stage scale has not been put forward as a matter for consideration, clearly an appropriate scale is likely to be influenced by levels but this information would need to be considered at reserved matters stage if the principle of some form of development can be determined. The land available would suggest that a dwelling

could be accommodated on the site, the appropriateness of the scale and appearance of such a dwelling would be assessed in due course.

Design

- 5.12 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.13 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.14 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.15 The Council's Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any significant impact to explain how public comments have influenced the chosen design. It is not considered the proposed development would have a significant impact on the surrounding area and as such the expectation to engage in community consultation prior to submission would not apply.
- 5.16 The applicant's Design and Access Statement describes the character of the surrounding area as residential in nature with a variety of house types and sizes, it is apparent that there is no prevailing architectural style in the area but it is of a residential character. The merit of retaining the existing buildings on the site has not been assessed, but their removal would be necessary to achieve the layout proposed. Community consultation is not mandatory for a development of this scale but has been carried out in preparing the application.
- 5.17 There is no indication of whether any other development options were considered, however the assessment does specify that the proposed layout has been informed by the position of the existing dwellings in the vicinity which would have limited the possible alternatives. As appearance and scale are not for consideration at this stage there is no further assessment of detailed design considerations.

Heritage assets

- 5.18 The Parish Council has asked whether any of the existing buildings on the site are listed and intended for demolition, there are no listed buildings on or adjacent to the site that would be affected by the proposal, however the site is within the Sandhutton Conservation Area. 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 Sandhutton Conservation Area when deciding this application.
- 5.19 On assessment of the application it is considered that it would lead to less than substantial harm to heritage assets. That harm would be the loss of former piggery buildings that relate to the former use as a farm. These buildings are not considered to be heritage assets in their own right but have some contribution to the character of a Conservation Area. The proposed development would see a change in the

arrangement of built form on the site, with the proposed dwelling in the centre of the site replacing two buildings to the east and west with open space between.

5.20 The site is well screened from principal vantage points given its location to the rear of other properties; the change in the built form would not therefore be appreciable within the wider Conservation Area and would not detract from its character but would allow a more efficient use of a site for residential purposes and would allow an improvement of what is currently a site of a dilapidated, albeit well screened, appearance.

5.24 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. In this instance the less than substantial harm can be justified in redeveloping the site for the construction of a dwelling, which would make a small contribution toward the supply of housing.

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 which ever 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 scale and appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site.
3. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered HDC/3098/02 Rev A received by Hambleton District Council on 10/04/17 unless otherwise approved in writing by the Local Planning Authority.
4. 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.
5. The development shall not be commenced 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. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. 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.

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 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: (c) The existing access shall be improved by widening to match the driveway and shall be constructed in accordance with Standard Detail number E6; (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.
7. 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: (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 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.
8. 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.
9. 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. 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 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, CP2, CP4, CP8, CP16 and CP17.

4. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole.
5. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
6. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
7. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
8. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
9. 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. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
2. 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 black wheeled bin with 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.

3. 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 this condition.