

Parish: Topcliffe
Ward: Sowerby & Topcliffe
14

Committee date: 17 August 2017
Officer dealing: Miss L Chambers
Target date: 24 August 2017

17/00807/FUL

Four detached houses
At Anchor Dykes, Station Road, Topcliffe
For Mr & Mrs Corps

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 to the north of the village of Topcliffe, to the east of the A167 between Topcliffe Primary School to the south and Anchor Dykes, a dwelling in the ownership of the applicant, to the north. The site is currently in use as a pony paddock.
- 1.2 The site is primarily bounded to the west and south by hedgerow, with post and rail fencing to the east and north, with a further section at the south west corner. There are a number of mature trees along the western boundary that are subject to tree preservation orders.
- 1.3 The site is beyond the Development Limits and the northern extent of the Topcliffe Conservation Area.
- 1.4 Permission is sought to form an access to the A167 to the north of the application site in order to create a private drive serving four dwellings. It is proposed that two two-storey, four bedroom dwellings would front the highway, taking pedestrian access only from the front, while there would be two one dormer bungalows to the rear (east) of the site, one with two bedrooms the other with three bedrooms.
- 1.5 Plots 1 and 2 would be served by semi-detached garages and hardstanding at the rear while plots 3 and 4 would each have attached garages with driveways; each property is indicated to have four parking spaces.
- 1.6 The site layout indicates a portion of the existing pony paddock would become part of the garden area to the host property, Anchor Dykes.
- 1.7 Improvements have been secured as follows: the proposal has been revised following the previous application being withdrawn; this includes removal of parking facilities intended for the staff of the neighbouring school that were unlikely to work in practice. The previously proposed shared bin store would have been detrimental to visual amenity and has been omitted. The house types have been revised to better reflect housing needs.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 04/00953/OUT – Outline application for the construction of six dwellings; Refused 21 July 2004.

04/01604/OUT – Outline Application for the construction of two dwellings; Refused 30 September 2004.

17/00153/FUL – Four detached houses and ten parking spaces for school staff;
Withdrawn 28 March 2017.

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 CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
Development Policies DP9 - Development outside Development Limits
Development Policies DP10 - Form and character of settlements
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Development Policies DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Parish Council – No comments.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Environmental Health Officer – No objection; requests imposition of contaminated land conditions identified as part of previous application.
- 4.4 Yorkshire Water – No objection subject to conditions.
- 4.5 Ministry of Defence – No safeguarding objections.
- 4.6 Public comments – One objection has been received, the issues raised include congestion associated with the adjacent school and highway safety.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) housing mix; (iii) highway safety; and (iv) design.

Principle

- 5.2 The site falls outside of Development Limits of Topcliffe and 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 includes an updated Settlement Hierarchy.
- 5.4 In the Settlement Hierarchy contained within the IPG, Topcliffe is defined as a Service Village and therefore is considered a sustainable location for 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 that, although also beyond Development Limits, are closely related to the village. As such, if the site were developed it would not be isolated from the village. Neither would it result in the coalescence of settlements or be detrimental to the open character of the surrounding countryside. In view of the size of Topcliffe and the number of dwellings proposed, it is considered that the development would result in small scale growth appropriate to the character of the village.

Housing mix

- 5.6 Policy CP8 of the Core Strategy requires proposals for housing to take account of local housing need in terms of size, type and tenure. The Council has an up to date Strategic Housing Market Assessment that identifies the principal need across the district is for smaller two and three bedroom dwellings, particularly bungalows, with a lesser requirement for larger homes.
- 5.7 The proposal includes a range of house types with a two-bedroom one dormer bungalow, a three-bedroom dormer bungalow and two four-bedroom two-storey houses. This mix would introduce variety to the appearance of the development while also addressing the identified housing needs of the area.

Highway safety

- 5.8 Public concerns have been raised with respect to the proximity of the site to the primary school to the south and whether the introduction of an additional access point and increased vehicle movements would exacerbate existing parking and highway safety considerations, particularly at peak drop off and collection times for the school.
- 5.9 Site visits have been carried out during both the morning and afternoon peaks for the school and it is evident that during these periods the area experiences an influx of parked cars as children are dropped off or collected. School staff generally arrive before parents in the morning and remain on site after the collection period in the afternoon, they currently park close to the school building and parents double park behind for short periods. Parked cars also increase along the main road during drop off/collection times.
- 5.10 While acknowledging that the school brings traffic and parked cars to the vicinity, this is for short periods twice a day during term time and does not impact on the highway at other periods or at weekends and during school holiday periods. The introduction of a new access point to serve the development would reduce the availability of on-street parking for parents but would not preclude on street parking entirely and the Highway Authority is satisfied it can be formed without detriment to highway safety.

- 5.11 The previous application submitted for the site included a parking area intended for the use of staff at the school; however there were questions about the feasibility of this proposal and whether it would worsen parking arrangements in the area, and as such undermined the merits of the proposal. This element of the proposal has been omitted and as such those highways concerns do not arise with this application.

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. Paragraph 66 sets an expectation that applicants engage with the local community in drawing up the design of their schemes:
- "Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."
- 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. The submitted Design and Access Statement does not refer to public consultation, which would have been discretionary, but does highlight changes that have been made to the proposal following concerns raised by officers in relation to the previous submission.
- 5.16 The character of the village is principally defined by the use of facing brickwork and pantiles, although a small number of properties utilise materials such as render and slate roofing. There is a range of house types and styles but these are unified by the use of common materials. The majority of properties front the public highway with a small number of cul-de-sacs.
- 5.17 The proposed layout fronting the highway with additional dwellings behind is appropriate within the context of the village and although there is not a single architectural style within the village, the proposed use of bay windows and chimneys reflects some existing properties in the vicinity. The appearance of the proposed properties would as a result be sympathetic to the character of the wider area.
- 5.18 The application form indicates the use of facing brickwork and a range of roofing materials, while noting there are examples of different materials in the area and that those proposed may individually be acceptable, there is no clarity as to which materials are proposed for which property. Should permission be granted the use of suitable materials could be effectively managed via a condition requiring samples and a schedule to be submitted for approval.

- 5.19 It is proposed to retain the trees and hedges on the boundary of the site; this would assist in softening the appearance of the development while retaining the attractive setting the existing landscaping provides.
- 5.20 Overall, the proposed development is considered to represent small scale growth within a sustainable village location, in line with the aspirations of the NPPF and IPG.

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 Location plan and proposed site layout received by Hambleton District Council on 02/06/17, and all other submitted details received by Hambleton District Council on 11/04/17 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. 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: (d) The crossing of the highway verge and footway shall be constructed in accordance with the approved details and Standard Detail number E6VAR; (e) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway; 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.
 5. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
 6. 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 Proposed Site Plan 22871 revision A). 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 in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway 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 in consultation with the Highway 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 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.
9. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
10. Details of the proposed landscaping and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented on site prior to the first occupation of any of the dwellings hereby approved.

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 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.
4. 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 the interests of road safety.
6. To provide for appropriate on-site vehicle facilities in the interests of highway 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.

9. To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.
10. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole.

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. Please note that the proposed development is liable under the Community Infrastructure Levy Charging Schedule, adopted by Hambleton District Council on the 07 April 2015. Details of the charging schedule are available on the Council website. www.hambleton.gov.uk
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 condition 4.