

Parish: Thrintoft
Ward: Morton on Swale
14

Committee date: 14 September 2017
Officer dealing: Mrs H Laws
Target date: 22 September 2017

17/01539/FUL

Construction of a detached dwelling

At: Glencoe, Thrintoft

For: Mr P Dixon

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 site lies at the south eastern end of the village and is accessed from an existing access and driveway at the southern end of the plot. The north end of the site is occupied by a single storey bungalow. The site is located in a slightly elevated position and there are varying ground levels within the site. It is surrounded by extensive landscaping and the existing vehicular access has poor visibility, particularly to the north.
- 1.2 Planning permission was granted in December 2013 to replace the bungalow with a two storey dwelling and a detached garage and to alter the existing vehicular access. The approved dwelling has a height of 1.7m above the level of the existing dwelling and comprises both two storey and single storey elements.
- 1.3 Permission has been given to close the existing access and create a new access midway along the north eastern boundary. The access has now been installed although the bungalow has not yet been replaced.
- 1.4 It is proposed to construct a second dwelling within the curtilage, at the southern end of the site served by the new access, which would then be shared with the existing bungalow or the approved replacement dwelling.
- 1.5 The proposed dwelling is an L-shaped, two storey property with an integral single garage. The dwelling would have four bedrooms at first floor, with accommodation provided within the roofspace and served by dormer and gable windows and rooflights.
- 1.6 The dwelling would be finished in reclaimed bricks and interlocking pantiles with timber framed windows and doors.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 13/01395/FUL - Demolition of existing bungalow and construction of a replacement dwelling, detached domestic garage and new vehicular access (as amended). Application withdrawn 27/8/2013.
- 2.2 13/02125/FUL - Revised application for demolition of existing bungalow and construction of a replacement dwelling, detached domestic garage and new vehicular access. Permission granted 6/12/2013.
- 2.3 16/01863/MRC - Proposed variation of condition 10 of previously approved application ref: 13/02125/FUL (Revised application for demolition of existing

bungalow and construction of a replacement dwelling, detached domestic garage and new vehicular access) - to move vehicle access and re-position house back 3m. Permission granted 31/10/2016.

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 DP4 - Access for all
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
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 – we trust that professional planning officers will ensure that whatever is approved by Elected Members will be within keeping of the style and appropriate size of building for our village. Comments have been made by some residents questioning how the plans would meet our concern that they would be within keeping of the style and appropriate size of building for our village.

4.2 Highway Authority – no objections subject to conditions.

4.3 Swale & Ure Internal Drainage Board - If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

4.4 HDC Environmental Health Services (Contaminated Land) – No objections

4.4 Public comments – no comments received (expiry date for representations 11/9/2017)

5.0 OBSERVATIONS

5.1 The main issues to consider are (i) the principle of a new dwelling in this location outside Development Limits; (ii) the likely impact of the proposed dwelling on the character and appearance of the village and the rural landscape; (iii) an assessment of the design of the proposal; (iv) neighbour amenity; and (v) highway safety.

The principle of development

5.2 The site is outside Development Limits as Thrintoft does not feature within the Settlement Hierarchy defined within Policy CP4 of the Core Strategy. Policy DP9 states that permission will only be granted for development in locations such as this "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal is a departure from

the Development Plan. However, it is also necessary to consider more recent national policy in the form of the NPPF. 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 appropriate consistent interpretation of the NPPF alongside Policies CP4 and DP9, the Council has adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance bridges 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 2014 Settlement Hierarchy reproduced within the IPG, Thrintoft is defined as an Other Settlement.
- 5.6 To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The site lies within the village of Thrintoft which is identified in the Interim Policy Guidance as part of a cluster of villages with Ainderby Steeple and Morton on Swale. These three villages have long been linked economically and socially, which continues to the present day. Collectively the three villages have a church, pre-school, primary school and shops, whilst each village supports a public house. However, it is clear that Morton on Swale accommodates the majority of the services and facilities. This is recognised in its status as a Service Village. On that basis, the IPG indicates that Thrintoft is a sustainable location for appropriate small-scale development and criterion 1 would be satisfied. Accordingly, there is support for the principle of a dwelling in this location.

Impact on character of village and rural landscape

- 5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings; however this does not automatically mean that five dwellings would be appropriate in every settlement. In

this instance a single dwelling is proposed, which must be considered cumulatively with the planning permissions recently granted for four dwellings at Thrintoft Grange (16/01391/FUL); a dwelling on land adjacent to West House (16/02590/REM); a dwelling at Oxmoor Barn in June 2016 (17/00396/REM); and a dwelling on land to the west of Ivy House Farm (17/00544/FUL), which is the subject of another item on this agenda. The approval of this application would result in a total of 8 additional dwellings within the village. Thrintoft is characterised by development along a number of spurs and the approved dwellings are generally positioned throughout the different spurs. None of the existing permissions relate to the part of the village, which is the subject of the current planning application and one additional dwelling would not adversely affect its character or result in an over-development of the village.

- 5.8 IPG criterion 3 requires development not to have a detrimental impact on the natural, built and historic environment. Thrintoft is characterised by linear development, particularly to the west, and the construction of a dwelling on the site is considered to reflect the established character.
- 5.9 A tree report confirms that some works are required to the blue cedar that lies on the southern boundary and a condition is recommended to ensure this work is undertaken prior to the commencement of development.

Design

- 5.10 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."
- 5.11 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.
- 5.12 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.
- 5.13 The Design & Access Statement explains that the dwelling has been designed to suit the local vernacular of the village. The proposal is a cottage style of property with low eaves height and eyebrow dormers that respect the scale and proportions of the dwelling. High quality materials are proposed, which should ensure the development contributes to the appearance of the site at the southerly edge of the village.

Residential amenity

- 5.14 LDF Policy DP1 requires development to adequately protect amenity, particularly with regard to privacy, security, noise and disturbance and pollution (including light pollution). In this case the only neighbour would be the existing bungalow at Glencoe. Planning permission has been granted for the replacement of the bungalow with a two storey property. If either the existing bungalow or the two storey dwelling neighbour the proposed dwelling, it is considered that there would be adequate separation between the existing and proposed dwellings for there to be no harmful impact as a result of overlooking or overshadowing and the development would be in accordance with Policy DP1.

Highway safety

- 5.15 The Highway Authority has no objections regarding the proposed additional dwelling to be served from the new access.

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. 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.
3. All new, repaired or replaced areas of hard surfacing shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.
4. No part of the existing boundary hedges along the south, east and west boundaries of the site shall be uprooted or removed and the hedges shall not be reduced below a height of 1.8 metres other than in accordance with details that have been submitted to, and approved by, the Local Planning Authority.
5. The works to the blue cedar tree detailed within the Tree Report received by Hambleton District Council on 17 August 2017 shall be undertaken prior to the commencement of the development hereby approved.
6. The development hereby approved shall not be undertaken other than in accordance with Drawing number SCH905 5.A that shows the finished floor level of the development at 39.00, other than with the prior approval in writing by the Local Planning Authority.
7. No part of the development shall be brought into use until the existing access on to the C159 has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority. No new access shall be created without the written approval of the Local Planning Authority.
8. No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference Proposed Site Plan Drawing Number 2 revision A). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
9. 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 wheelwashing 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.

10. 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 b. on-site materials storage area capable of accommodating all materials required for the operation of the site. c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
11. The permission hereby granted shall not be undertaken other than incomplete accordance with the location plan and drawings numbered SCH905 2.A; 3.A; 4.A; and 5.A received by Hambleton District Council on 11 July and 11 August 2017 unless otherwise approved in writing 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. 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.
3. To reduce the volume and rate of surface water that drains to sewers and watercourses and thereby not worsen the potential for flooding in accordance with Hambleton LDF Policies CP21 and DP43.
4. The existing hedges are considered to make a worthwhile contribution to the character of the area and are worthy of retention in accordance with LDF Policies CP16 and DP30.
5. The blue cedar tree is considered to make a worthwhile contribution to the character of the area and remedial works are recommended in accordance with LDF Policies CP16 and DP30.
6. To ensure the building is in keeping with the character and appearance of the locality in accordance with LDF Policies CP17 and DP32.
7. In the interests of highway safety and in accordance with LDF Policies CP2 and DP4.
8. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.
9. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety in accordance with LDF Policies CP2 and DP4.
10. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

11. 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.

Informatives

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