

Parish: Well
Ward: Tanfield
17

Committee date: 12 October 2017
Officer dealing: Mrs H Laws
Target date: 20 October 2017

17/01552/OUT

Outline planning application with all matters reserved (access included) for the construction of two detached dwellings

At: Land adjacent to Northfield, Bedale Road, Well

For: Messrs Bradley & Robert Elsworth

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 on the northern edge of Well and on the eastern side of the main Bedale Road. Northfield is the last property on the edge of the village on the eastern side of Bedale Road and the application site forms part of the agricultural field beyond, extending to approximately 0.17 hectares in size. The site is bounded on the roadside by a low wall covered in hedgerow growth and a slightly raised highway verge. The timber fencing and mature leylandii hedging of the neighbouring house, bounds the site to the south; there are no existing boundaries to the north and east of the site which is open to the wider field.
- 1.2 Agricultural land lies to the north and east. The site has a frontage onto the village street of approximately 45m and a depth of approximately 35m.
- 1.3 It is proposed to construct two detached dwellings on the plot. A single access is proposed, which would serve both of the dwellings.
- 1.4 It has been suggested that the dwellings would be single storey in scale with first floor accommodation provided within the roofspace but no drawings have been provided and such details would be matters reserved for later consideration.
- 1.5 The application site lies outside of the Well Conservation Area.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None

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 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 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 –comments received and summarised as follows:

1. looks to be within the village planning limit line which I am sure he has already considered before submitting
2. Okay if it falls within planning remit and access is safe
3. It will overlook the nearby houses and if planning was refused/rescinded for the field opposite the pub, how is this acceptable? Can the scope of the development be expanded at a further date?

4.2 NYCC Highway Authority – no objections subject to conditions

4.3 NYCC Heritage Services - The proposed development lies within an area of archaeological potential. I advise that a scheme of archaeological mitigation recording is undertaken in response to the ground-disturbing works associated with this development proposal. This should comprise an archaeological strip, map and record to be undertaken in advance of development. This is in order to ensure that a detailed record is made of any deposits/remains that will be disturbed. A condition is recommended.

4.4 Swale & Ure IDB - 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.

4.5 Public comments - comments have been received from 6 local residents, one of whom is supportive of the proposal, which are summarised as follows:

1. The two plots encroach onto the green field site as they extend beyond the built limit of the village and the justification that it lies opposite existing houses is incorrect as these houses are level with only about a third of the site.
2. Dwellings should be restricted to bungalow height.
3. Will an occupancy restriction be placed on the houses as justification is being provided regarding a local connection?
4. Would development of this site set a precedent for the development of more of the greenfield site?
5. Any planning application submitted under existing rules, would have to compromise 100% affordable housing to be policy compliant.
6. The existing dwellings are single floor bungalows and not dormer bungalows as stated within the application.

7. This area of Bedale Rd has been highlighted by residents as being very dangerous as this stretch of road has no pavements, sight lines both ways are very limited. A considerable number of local farm vehicles and continental heavy goods use this road to access Well Industrial units.
8. There is no need for housing outside the development line – there are houses for sale within the limit.
9. I often have to park my car on the road side which would be opposite the proposed junction.
10. It is not defined where the boundary of plot 1 will end it appears to join the back of the buildings behind Northfield and Rebana where there is an ongoing planning application for an excessive building where preparations have already been made. Are these plots been applied for to join up/make access to this?
11. It will cause upset and distress to the people living in proximity to this site with noise and disruption to houses nearby.
12. It will de-value a certain amount of properties in close proximity
13. The property in which I reside has un- interrupted views and if proposed plots and any future development this will be taken away as it will be overlooking the proposed plots which could be a breach into my privacy.
14. When driving into the village these houses will be the first thing you see and will be in the foreground of the view of the Church and Well Hall. Both these are Grade one listed buildings about which N. Pevsner waxes lyrical, and I therefore implore the Planning Committee to insist that these very large new structures display significant architectural merit and that the site is carefully landscaped.
15. The present ground level is substantially lower than either the road or the adjacent houses and I fear that in order to satisfy highways and to afford the dwellings a better view, the applicants may wish to raise the site level.
16. Our property No. 5 Bedale Road is situated directly opposite the proposed development site and given the difference in site levels looks directly down onto it. The development would alter our views over the current arable field and beyond.
17. The size and scale of the proposed units do not fit nor are they in keeping with those properties in the direct vicinity. This escalation of use would impact significantly on our property.
18. The development would be a most welcome addition to the village and contrary to the very negative feedback from some of the objectors I believe the development would actually enhance the entrance into the village.
19. The applicants have already committed to utilising local tradespeople in the construction of the properties and have demonstrated their willingness to continually contribute to the businesses, services and tradespeople within the village which I feel is vital in achieving and maintaining a healthy social and economic benefit to the village.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of new dwellings in this location; (ii) the impact on the character of the surrounding area, including the character and appearance of the village and the rural landscape; (iii) the impact on the amenity of neighbouring occupiers; (iv) ecological impact; (v) highway safety; and (vi) developer contributions.

The principle of development

- 5.2 The site falls outside and immediately adjacent to the Development Limits of Well, which is defined in Policy CP4 of the Core Strategy as a Secondary Village. 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 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 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 2014 settlement hierarchy contained within the IPG, Well is still defined as a Secondary Village and therefore a sustainable settlement; within the IPG small scale development adjacent to the main built form of the settlement "will be supported where it results in incremental and organic growth". 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 walking distance of the centre of Well which has facilities including a pub, church, village hall and an equipped children's play

area. Criterion 1 would be satisfied and the principle of development would be acceptable.

Impact on character of village and surrounding countryside

5.6 It is important to consider the likely impact of the proposed development with particular regard to criteria 2, 3 and 4 of the IPG. The scheme is for two dwellings, which is considered to be a small scale development within the village of Well.

5.7 The proposed dwellings would be on undeveloped agricultural land that lies at the end of the row of residential properties on the eastern side of Bedale Road. The following detailed advice within the IPG is considered to be relevant:

"Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."

"Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."

5.8 The proposed development would extend the built part of Well further along the eastern side of Bedale Road. The application site is undeveloped and clearly forms part of the countryside rather than the built form of the village. The boundary between Northfield and the application site is well established with a timber fence and leylandii hedging providing a fixed boundary to the end of the village but it lies immediately adjacent to the village and is opposite dwellings on Bedale Road, (albeit that The Old Vicarage at the northernmost part of the village is set well back from the street frontage), the application site has a close relationship to the built form of the village.

5.9 The application site, when viewed from the approach to the village from the north, would be viewed against the backdrop of the existing village, which would help to reduce the prominence of the site. On the approach from the north there are existing long range views in a south easterly direction towards St Michaels Church, which is a grade I listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving any listed building affected by the proposal or its setting or any features of special architectural or historic interest which it possesses. The views towards the church across the application site would be curtailed but the longer range views would be retained and due to the considerable distance involved (approximately 250m), would not have a harmful impact on the setting of the listed church or the Well Conservation Area.

5.10 As such it is considered that there would be no harmful impact to the natural, built and historic environment.

Impact on the amenity of neighbouring occupiers

5.11 LDF Policy DP1 requires development to adequately protect amenity, particularly with regard to privacy, noise and disturbance, pollution (including light pollution), odours and daylight. The proposed dwellings follow the general building line of the dwellings along this section of Bedale Road and also reflect the spacing between many of the detached dwellings locally. 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 accord with Policy DP1.

Ecological Impact

- 5.12 An ecological survey has been submitted with the application, which concludes that there would be no harmful impact on any protected species in the vicinity. Recommendations are made regarding works on site in order to protect nesting birds within the existing leylandii hedge and to ensure that no wildlife is entrapped within the construction site. A condition is recommended to this effect.

Highway safety

- 5.13 The proposed access point would lie within the 30mph speed restriction zone. The Highway Authority is satisfied that a safe access can be achieved and there would be no harmful highway safety impact. Conditions are recommended.

Other matters

- 5.14 The reference to the applicants having a local connection is not relevant to the application and should permission be granted there would be no occupancy restriction placed on the planning permission.

Conclusion

- 5.15 It is considered that the proposal is in accordance with the Interim Policy Guidance document and policies of the LDF in that the housing development would have no adverse impact on the form and character of the village, landscape character, residential amenity, ecological matters and highway safety.
- 5.16 The proposed development is acceptable and approval of the application is recommended.

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 layout, scale 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. 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.

5. No above ground construction work shall be undertaken 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. The development shall not be commenced until details relating to the boundary treatment of the development have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the boundary treatment for that dwelling has been implemented in accordance with the approved details and thereafter retained.

7. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

8. No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

9. The recommendations detailed within the Ecological Impact Assessment produced by Naturally Wild, received by Hambleton District Council on 12 July 2017, shall be carried out in full.

10. 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 to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

a. The details of the access shall have been approved in writing by the Local Planning Authority.

d. The crossing of the highway verge shall be constructed in accordance with the approved details and Standard Detail number E6.

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.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

11. 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.

12. 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:

a. vehicular and pedestrian accesses

b. vehicular parking

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.

13. 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.

14. 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.

15. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawing numbered E7-4A received by Hambleton District Council on 12 July 2017 unless otherwise approved in writing by the Local Planning Authority.

The reasons are:

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990
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. 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 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.
5. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with LDF Policies CP16 and DP30.
6. To ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP16 and DP30.
7. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies.
8. This condition is imposed in accordance with Section 12 of the NPPF as the site is of archaeological interest.
9. To minimise risk or disturbance to wildlife and their future use of the site in accordance with LDF Policies CP16 and DP31.
10. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience in accordance with LDF Policies CP2 and DP4.
11. In the interests of road safety in accordance with LDF Policies CP2 and DP4.

12. 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.

13. 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.

14. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area in accordance with LDF Policies CP2 and DP4.

15. 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

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.