

Parish: Well
Ward: Tanfield
18

Committee date: 12 October 2017
Officer dealing: Mr K Ayrton
Target date: 13 October 2017

17/01276/FUL

**Construction of a single dwelling
At land adjacent to Cumbrae, Nosterfield
For Mr E Sherwin**

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 in the settlement of Nosterfield. The site is rectangular in shape and approximately 0.12 hectares in size, currently used for grazing. It adjoins Cumbrae, which is a bungalow. Alongside this is a large stone farmhouse with associated farm buildings located to the rear. The farm buildings and associated land are in the ownership of the applicant.
- 1.2 The main part of the village is located on the opposite side of the B6267. It is intimate in nature and contains a variety of attractive buildings. The buildings in the northern part of the village front onto a triangular green.
- 1.3 The built form of the village is reflective of its historic form. The only real anomaly to this is some more modern council housing located on the eastern part of the village, which fronts onto the B6267.
- 1.4 The site is accessed off the B6267 via what appears to be a private track, which already serves the farm and Cumbrae.
- 1.5 The proposal is for the construction of a two-bedroom bungalow, with a traditional appearance. An attached garage is sited to the west, which will be accessed by an existing opening in the low stone boundary wall.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 74/0287/OUT - Outline application for residential development; Refused 25 July 1974.

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 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 DP9 - Development outside Development Limits
Development Policy DP13 – Achieving and maintaining the right mix of housing

Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
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 or objections.
- 4.2 Highway Authority – Flask Lane is a private road and has not been included in the red-line. If you are satisfied that the applicant has vehicular rights to use the road then the Local Highway Authority recommends that a condition is attached to any permission granted.
- 4.3 Environmental Health Officer - Although there is a farm in close proximity to the development site there are already residential properties next to this which are even closer, therefore no objection.
- 4.4 Public comments – None received.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (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 Nosterfield is beyond any Development Limits identified in the Local Development Framework (LDF). Therefore development is only considered acceptable under LDF policies in exceptional circumstances, set out in Policy CP4. The applicant does not claim any of the exceptional circumstances identified in that policy 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 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 new housing in 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 Nosterfield is identified as an Other Settlement. This status recognises its relatively limited range of services and facilities. Therefore it would need to form a cluster with a Secondary or Service Village or one or more Other Settlements. Where a cluster comprises only Other Settlements, they must have a good collective level of shared service provision in order to comply with criterion 1 of the IPG.
- 5.6 West Tanfield, which is a Service Village, is the largest settlement in close proximity at approximately 1.5km. Well (a Secondary Village) is located approximately 1.8km away. The IPG notes that in order to form a sustainable community, villages must be clustered with other settlements where there are no significant distances or barriers between them. The IPG defines "significant distance" as approximately 2km. It is therefore considered that Nosterfield can be viewed as an example of a sustainable cluster. Criteria 1 of the IPG would be satisfied and the principle of development is therefore acceptable.

Character and Appearance

- 5.7 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 environment and built form. This is consistent with other policies in the Local Plan.
- 5.8 The supporting design and access statement makes the following points in respect of character and appearance:
- The application site is well related to the main built form of the settlement which continues along Flask Lane;
 - The proposal is small in scale and reflects the existing built form and character of the village; and
 - The proposed development would be very much seen in conjunction with Cumbrae and would not result in any significant detrimental impact on the character, appearance and environmental quality of the surrounding area.
- 5.9 Having assessed the site and its context, it is the view of officers that the site does not adjoin the main built form of the village. Whilst it is close, the site relates more to a separate cluster of development formed from a farmstead with its associated farm house and a separate bungalow.
- 5.10 The guidance in the IPG advises that 'where proposals do not adjoin a settlement then wider consideration must be given to the special physical characteristics of the surrounding area as well as the settlement which sets it apart from its surroundings and contributes to its individuality'. It goes on to add that 'small gaps between buildings should be retained where these provide important glimpses to open countryside beyond and contribute to the character and appearance of the area'.
- 5.11 In this instance, it is considered that the site is not an isolated form of development and is viewed in the context of the wider built form of the village. Equally, the open space between the farmstead and main built up part of the village is important in

helping to understand the history of the settlement and is part of its individuality. The application site itself is located alongside a bungalow and separated from the wider countryside by a block of woodland. Therefore it would not significantly impact on the built form of the settlement. It has to be added that this view is helped significantly by the small scale of development being proposed. Were additional dwellings proposed, the status of the cluster of development and its relationship with the main built form would change. It could also have a detrimental impact on the architectural status of the farmhouse.

- 5.12 The design of the dwelling is traditional and reflective of the adjoining bungalow. Whilst it is not of the high quality of the more historic dwellings in the core of the village and the nearby farm house, it is appropriate within its context.

Residential Amenity

- 5.13 The neighbour property of Cumbrae has windows in its gable end facing the site, although between this gable and the application site there is a detached garage. The nearest part of the neighbours property, to the proposed development would be the double garage. Considering that it will effectively result in two side elevations facing each other, the separation distance is more than sufficient to avoid any adverse impact on residential amenity.

Highway safety

- 5.14 The local highway authority has raised no objections. It is considered that the proposed development will have no adverse impact on road safety in the vicinity of the application site.

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 drawing(s) numbered 2A, 3A, 4A received by Hambleton District Council on 8 June 2017 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. 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 SCH875 Dwg.No.2 Revision A). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times

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. 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 Policy(ies) 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 in accordance with Hambleton Local Development Framework Policy CP17.
4. To provide for appropriate on-site vehicle facilities in the interests of Highway Safety and to accord with the requirements of Development Policy DP3.

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.