

Parish: Huby
Ward: Huby
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Committee date: 7 December 2017
Officer dealing: Miss Charlotte Cornforth
Target date: 11 December 2017

17/01463/MRC

**Variation of conditions attached to planning consent 16/02247/FUL - development of detached four dwellings each to include an attached garage
At Part OS 8471 and 9170, Gracious Street, Huby
For Northminster Ltd.**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located on the southern side of Gracious Street, opposite four detached two-storey houses set behind substantial boundary hedging. To the west is a site recently granted planning permission for a single dwelling and, further beyond this, another residential property. To the east of the site is a pumping station. The site forms part of a field which is used for the grazing of horses and slopes down from the road. The northern boundary of the site is formed by hedgerow with some gaps. Behind the hedgerow on the northern boundary is a post and wire fence. The road curves gently southwards.
- 1.2 The site is outside the Development Limits which runs along and includes the road of Gracious Street and the verge in front of the site, the boundary line continues to the east to the last property on the northern end (Ryefield). To the west the Development Limits dissect the garden of Ashdale.
- 1.3 This application seeks to vary the approved plans condition of the 16/02247/FUL to include the construction of four attached garages to each of the four detached four bedroom dwellings that have been granted planning permission. A linking door is shown from the garage to the utility room.
- 1.4 Each garage would have a pitched roof, with a width of 3 metres (2.4 metres to access the garage) and depth of 6.6 metres and a maximum height of 5.7 metres. Each would sit back from the front projecting gable of the dwellings and be constructed from brick and pantile to match the dwellings. Each garage would have a roller shutter door with a lintel above.
- 1.5 The proposal for two shared site access roads across the existing verge remains the same. The dwellings retain a rear garden access, albeit now down the side of the proposed garages

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 86/0787/FUL (alternative reference: 2/86/070/0101B) – Detached dwelling house with double garage; Refused 14 May 1986, appeal dismissed 29 September 1986.
- 2.2 16/02064/FUL – Detached dwelling house with associated works (on land adjoining and west of the application site); Granted 14 November 2016.
- 2.3 16/02247/FUL - Development of four dwellings; Granted 30 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 DP31 - Protecting natural resources: biodiversity/nature conservation
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
Development Policies DP43 - Flooding and floodplains
National Planning Policy Framework - published 27 March 2012
Interim Policy Guidance Note - adopted by Council on 7th April 2015

4.0 CONSULTATIONS

- 4.1 Parish Council – No response received to date.
- 4.2 Highway Authority – No objection.
- 4.3 Public comments – An objection has been received regarding procedural matters in the processing of the previous planning application and seeking re-examination of that decision.

5.0 OBSERVATIONS

- 5.1 The application seeks to modify the permission granted in March 2017 and as such the examination of the proposal should concentrate on the proposed changes. However, the key determining issues are (i) the principle of development; and its likely impact on (ii) the character of the area; (iii) residential amenity; and (iv) highway users.

Principle

- 5.2 The principle of development has already been established as part of the previous application 16/02247/FUL. Members will recall that the site was considered under the Interim Planning Guidance. It was concluded that the development is small scale for Huby and the site is in close proximity to Development Limits and therefore has a good relationship to the village. Huby is designated a Service Village in the 2014 Settlement Hierarchy and therefore there are no concerns raised with regard to the sustainability of the location. The continuation of the built form proposed in the application would mirror the dwellings opposite.

Character of the area

- 5.3 Gracious Street includes a variety of house types and ages, principally of two storey and traditional design, and has a village character. The buildings on the northern side of the street extend further east than those on the southern side.

- 5.4 The proposal would follow the built form of the road and would echo many of the design features of the local area, for example the front elevation window lintels and porch detail. The scale, form and external materials for the proposed garages are considered to be appropriate and sympathetic to the character and appearance of the host dwellings and the character of the area.
- 5.5 The provision of new hedges to the boundaries is considered to be in keeping with the area and the maintenance of the hedge to the northern boundary would help soften the impact of the proposed development.
- 5.6 The proposal is therefore considered to be in keeping with the character of the area.

Residential amenity

- 5.7 The proposal is separated from other properties and set off from the boundaries and is of sufficient distance from other properties to not result in harm to their occupiers by way of loss of light, overlooking or loss of privacy. The relationship between the dwellings and the inclusion of the garages with no side facing windows is also considered acceptable and would not harm future occupiers of the dwellings.

Highways

- 5.8 Other than by the change of a parking space to a garage the layout of the parking is unchanged from the previously approved scheme. The proposal still includes parking and turning space within the site at the rate of two external spaces per dwelling to meet the reasonable needs for future residents and their visitors. The quantum of parking space within the site is considered appropriate and there is no reason to conclude that the development would cause congestion on Gracious Street or affect the availability of parking for existing residents. A lay-by parking space is shown on the site frontage.

6.0 **RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun on or before 3rd April 2020.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) Location Plan - 4053-(05)10, 4053-(05) 11 (B), 4053 (05) 12 (B) and 4053 (05) 13 B 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. Prior to the commencement of development details of surface and foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority.
 5. Prior to development commencing details of the existing ground and floor levels of site and neighbouring buildings and the proposed ground and finished floor levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The levels shall relate to an identified fixed Ordnance Datum. The development shall

be constructed in accordance with the approved details and thereafter be retained in the approved form.

6. No site clearance, removal of hedgerows or other development that involves work to the site shall commence unless a bat emergence survey, assessment of Pond 1 (located at SE 568657); and Ponds 2 & 3 (both at SE 567656) for Great Crested Newts and a walkover survey to ensure that badgers have not occupied any habitat prior to development at the site has been undertaken, survey report submitted and the mitigation measures submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented prior to the commencement of the demolition or other development that involves work to the structures. Thereafter the mitigation measures shall be retained in accordance with the approved scheme.
7. Prior to their installation details of bat and bird boxes shall be submitted to and agreed in writing by the Local Planning Authority. The proposed bird boxes shall include as a minimum 4 x open-fronted nest boxes, two should be sited low down below 2 metres and hidden in vegetation, with 2 positioned higher up (2 to 4 metres), sheltered by vegetation with a more open outlook. Nest boxes suited to hole-nesting species should also be provided with 2 having 25mm holes for smaller tit species; 2 with 28mm holes for larger tit species; 2 with 32mm holes for tree sparrows and 2 with 45mm holes for starlings. The agreed details shall be installed prior to the first occupation of the dwelling and retained thereafter.
8. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees, hedges 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.
9. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
10. The proposed garage and parking areas shall be laid out in a permeable material in accordance with plan reference 4053 (05) 12 (B). Prior to the first occupation of the dwelling, the parking areas shall be made available for the parking and manoeuvring of motor vehicles. The areas shall be retained for such purpose at all times thereafter.
11. 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 until the details for the provision of a passing place on the site's frontage on Gracious Street have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a programme for the completion of the proposed works which shall be made available for use prior to the first occupation of the development. The development shall be carried out in accordance with the agreed details.
12. 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 33 metres measured along both channel lines of the major road from a point measured 2.0 metres down the centre line of each of the accesses. 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.

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.
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4. To ensure that the site is adequately drained and does not result in flooding elsewhere.
5. To ensure that the development is appropriate to landscape context in accordance with the Hambleton Local Development Framework Policies CP1, CP4, CP16 and DP30.
6. In order to prevent harm to habitat of protected species and to secure the implementation of mitigation measures submitted in the Ecological Assessment as part of the application and in accordance with Local Development Framework Policies CP16 and DP31.
7. In order to prevent harm to habitat of protected species and to secure the implementation of mitigation measures submitted in the Ecological Assessment as part of the application and in accordance with Local Development Framework Policies CP16 and DP31.
8. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policies DP30, DP31 and DP33.
9. In accordance with Policy CP2 and DP4 and in the interests of highway safety.
10. To ensure that there is adequate provision of parking and turning areas within the site.
11. To ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
12. In the interests of road safety and in accordance with Local Development Framework Policy CP1.

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 its own Waste and Street Scene Services.

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. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.