

Parish: South Kilvington
Ward: Bagby and Thorntons
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Committee Date: 7 December 2017
Officer dealing: Mr Mark Russell
Target Date: 21 November 2017
Date of extension of time: 14 December 2017

17/01305/OUT

Outline application for the construction of two dwellings
At Glebe Farm, Stockton Road, South Kilvington
For Mr & Mrs S Russell

This application is referred to Planning Committee as it is a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 This application seeks outline planning permission for two dwellings to the south of Glebe Farm, Stockton Road, South Kilvington, beyond the Development Limits of the settlement. Access is to be considered, with layout, appearance, landscape and scale reserved for later approval. The site plan submitted with the application shows the retention of the existing access position to the southern periphery of the site to serve the continuing agricultural activities at Glebe Farm, and the configuration of the dwellings to the north of this.
- 1.2 Vehicular access would be taken from Stockton Road through the widening of the vehicular entrance immediately to the south of the farm house. A pedestrian access to the verge and adjacent footway would be formed to the principal elevation of the frontage dwelling to the eastern periphery of the site. The application site currently comprises a range of brick and tile, and portal framed, profile sheet buildings. The site is relatively flat, and extends to a total size of approximately 0.17 hectares (0.44 acres). The development site is rectangular shaped and the northern boundary of the site is formed of an established hedgerow separating the site to the existing curtilage at Glebe Farm.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 2/93/137/0079 - Agricultural building for general storage purposes; Granted 23 December 1993.
- 2.2 17/01306/OUT - Outline permission for one dwelling; Pending decision, also reported in this agenda.

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 CP15 - Rural Regeneration
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 DP9 - Development outside Development Limits
Development Policies DP16 - Specific measures to assist the economy and employment

Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Interim Policy Guidance – Adopted 7 April 2015
National Planning Policy Framework (NPPF)

4.0 CONSULTATIONS

- 4.1 Parish Council - No objection.
- 4.2 Highway Authority – recommends four conditions relating to construction requirements, details of access, precautions to prevent mud on the highway, on site storage.
- 4.3 Environmental Health Officer – 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) its impact on the spatial pattern and character of the area; and (iii) its impact on residential amenity.

Principle

- 5.2 The site falls outside of Development Limits of South Kilvington. 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 beyond Development Limits “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 includes an updated Settlement Hierarchy.
- 5.4 In the Settlement Hierarchy contained within the IPG, South Kilvington is defined as a Secondary 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. The IPG focusses on the scope for development within and at the edge of villages and does not make specific reference to new development in the wider countryside. The guidance makes reference to development that will support local services in a village nearby. The site is considered to be a sustainable location for appropriate small-scale housing, subject to assessment against the other criteria of the IPG.

Spatial pattern and character of the area

- 5.5 Consideration must be given to how the development of the site for two houses would impact on the character and setting of the village. It is important to consider whether the development of the site would appear as organic growth and whether it would help preserve or indeed enhance the unique character of the village and ultimately contribute in a positive manner to the sense of place.

- 5.6 South Kilvington could in all reasonable regards be classed as a linear or cruciform village where essentially most of its buildings are constructed in lines, next to a road, in this particular case the A61 which runs through the village. Whilst for the purposes of the IPG the village could be considered sustainable consideration must be given to how the site and the resultant houses would relate to the village. The applicant has amended the proposal so that layout is a reserved matter. Presently there are two brick and tile, and portal framed, profile sheet buildings on the application site that would be removed.
- 5.7 South Kilvington comprises a mix of dwelling types, style and age but with few exceptions these are, as previously stated, arranged in a linear pattern. It was considered in regard to the original indicative site layout that the two dwellings were not appropriate in scale or pattern in relation to the prevailing form and character of the village. The amendment to the redline offers the opportunity to still have two dwellings on the site but both with road frontages onto the A61, which it is considered will be more in keeping with the prevailing style and pattern of South Kilvington.
- 5.8 There are six requirements as set down by the Council's IPG, which includes criterion 2, "Development must be small in scale, reflecting the existing built form and the character of the village". The proposal relates to the development of two dwellings. It is considered that the application site given its scale, location and overall size would be able to accommodate two street dwellings without compromising the predominant linear frontage pattern of the older built form in the village thereby adhering to the overall established pattern and character of the village, which is predominantly traditional and comprising frontage dwellings.

Residential amenity

- 5.9 It is considered that two dwellings can be achieved on this site without causing significant harm to the amenities of the occupiers of existing and proposed properties if due regard is paid in the design of the dwellings. The site layout plan shows an access road through the site, separating the existing and proposed dwellings. It is considered that this would assist in protecting neighbouring amenity. The scale of the dwelling houses, of which no details have been submitted, would be dealt with at the reserved matters stage.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **APPROVED** with 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 all of the development hereby approved shall be begun before the expiry of which, ever is the later of the following: i) Three 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. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site; (c) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (d) the scale (including the number) of buildings overall.

3. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan received by Hambleton District Council on 13 June 2017 unless otherwise approved in writing by the Local Planning Authority.

4. 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.

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. Any such scheme as may be approved shall be implemented on site prior to occupation of the dwellings hereby approved. 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. 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 has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirement: The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6VAR. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

7. 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 accesses; (b) Vehicular parking; and (c) Vehicular turning arrangements. 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 details. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

8. 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.

9. 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 (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.

The reasons for the above conditions are:-

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
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. 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) CP1, CP2, CP4, CP16, CP17 and CP21, DP30 and DP32.
4. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole.
5. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties.
6. In accordance with Policy CP2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
7. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
8. In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
9. In accordance with Policy and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.