

Parish: Carthorpe

Ward: Tanfield

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Committee Date:

11 January 2018

Officer dealing:

Mrs H Laws

Target Date:

19 January 2018

17/02086/FUL

Construction of a replacement dwelling and construction of a detached dwelling at Rosedene, Carthorpe for Mr T Shipman

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site lies on the northern side of the main village street at the western end of the village and is currently occupied by the single storey dwelling known as Rosedene, along with its domestic curtilage. The eastern part of the site previously formed part of a field that is now a disused strip of land adjacent to an access serving three dwellings to the rear, recently converted from farm buildings.
- 1.2 Planning permission was granted in September 2016 to remove the existing dwelling and construct two detached bungalow style dwellings, each with an integral single garage. The approved dwellings are 4 bedoomed two storey properties with the first floor accommodation provided within the roofspace and served by dormer windows to the rear.
- 1.3 Rather than implement the approved scheme, it is now proposed to construct two dwellings of a different scale and design on the same site. The dwellings would be two storey with relatively low eaves height and the first floor served by gable windows and eyebrow dormers. Each property would have 4 bedrooms. A detached double garage is proposed for each dwelling, set behind the property within the rear garden area.
- 1.4 The dwellings would be finished in brick, render and concrete tiles with upvc double glazed windows.
- 1.5 The access serving the existing bungalow would be used for one of the dwellings; a new access is proposed to serve the dwelling at the eastern end of the site.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 15/00124/MBN - Prior notification (on site to the rear of application site) for change of use of agricultural building to dwelling; Granted 17 March 2015.
- 2.2 15/02240/MBN - Prior notification (on site to the rear of application site) for change of use of agricultural building to dwelling; Granted 25 November 2015.
- 2.3 15/01809/OUT - Outline application (on site opposite the application site) for construction of a dwelling house with all matters reserved; Granted 20 October 2015.
- 2.4 16/00887/FUL - Proposed replacement dwelling and construction of new detached dwelling; Granted 15/9/2016.

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 - no comments received (expiry date for representations 8/12/2017).
- 4.2 Highway Authority - Conditions recommended.
- 4.3 Public comment - comments have been received from a local resident, which are summarised as follows:
- Strongly object to this resubmission for an increase in height and hence mass, which already form a very overbearing development on this site;
 - This proposed development is returning to the original application , which was rejected due to the adverse impact in terms of building mass and sizing and also in relation to nearby low level properties;
 - 2 properties was accepted subject to being low level properties;
 - It follows the one off new build, which stands solely on its own and does not follow the design and character of all the nearby single storey and low level properties;
 - The extremely close proximity of the two properties is out of character with the open spaces and rural views of the nearby properties. Any height increase can only result in a domineering and adverse effect on the visual amenity of the neighbourhood.

5.0 OBSERVATIONS

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

Principle

- 5.2 The site falls outside of Development Limits as Carthorpe does not feature within the Settlement Hierarchy defined within Policy CP4 of the Core Strategy. 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. The IPG has brought in some changes and details how Hambleton District Council will now consider development in and around smaller settlements and has included an updated Settlement Hierarchy.
- 5.4 In the 2014 Settlement Hierarchy contained within the IPG, Carthorpe is defined as an Other Settlement. 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 on the edge of the village of Carthorpe which is identified in the IPG as an example of a cluster village together with Burneston. The two villages have long been linked economically and socially which continues to the present day and collectively have churches, a primary school, two pubs and a shop. Each village is readily accessible to each other on foot or bicycle as well as by car on the local road network. Carthorpe is less than a kilometre distance from Burneston and the application site is a further 0.5km through the village with a footway for almost all its length. Criterion 1 would be satisfied.

Impact on the character of the village and the rural landscape

- 5.5 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". The proposal is for the replacement of the existing dwelling and an additional dwelling and would not therefore be of too great a scale for the village. The site lies beyond but adjacent to the existing row of development along the village street and would not extend the built form of the village any further into the adjacent fields and is therefore in accordance with the built form of the village. As such it is considered that there would be no harmful impact to the natural, built and historic environment from a replacement dwelling and an additional dwelling in this location. It is, however, necessary to consider the design in more detail.
- 5.6 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 setting, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.7 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. A Design Statement is not required with the application in this instance.
- 5.8 The proposed dwellings are taller (by 1.6m and 0.75m respectively) and bulkier than the two bungalow style properties that were approved in 2016. Originally the application last year was submitted for two full height dwellings and later amended to the approved scheme. It was considered at the time that, as the site was positioned at the edge of the village and many of the surrounding properties are lower level bungalows, the two storey houses would not reflect the existing character of this part of the village. The two storey dwellings originally proposed were different in form and design to the two storey dwellings now proposed. The current scheme is for cottage style dwellings with a low eaves height; the original scheme had much more in character with an urban housing estate. The design of the current scheme is

therefore more appropriate for a village setting and considered to be acceptable in this case.

- 5.9 Since the previous application was approved, an additional planning permission for a two storey dwelling to the west, at the edge of the village, has been granted and implemented. Although this dwelling lies further from the application site and the nearby group of lower level properties, and therefore does not completely relate to the application site, it nonetheless provides context. In this respect, the proposed dwellings are lower in height and provide a link between the newly built dwelling and the lower level, older properties. A bungalow style of property with the first floor accommodation within the roofspace has also recently been constructed on the site to the south. There is considered to be adequate separation between the existing and proposed dwellings for the differences in heights (which is not substantial), not to detract from the surroundings as a whole. None of the properties would be likely to overwhelm and dominate any other and would provide a varied mix of rooflines in this part of the village.

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 Planning 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 proposed dwellings are well-proportioned properties each with a gable to the front elevation, to be finished in brick and tiles. The dwellings have incorporated features that reflect existing dwellings within the village including gabled porches and canopies over bay windows. The dwellings are considered to be of a high standard of design that would not detract from the character and appearance of the streetscene or the surrounding rural landscape. The dwellings have been set back behind the building line of the existing dwelling but this does not appear as a contrived positioning of the properties within the site and is more appropriate considering their greater height. The proposal is in accordance with LDF Policies CP17 and DP32.

Neighbour amenity

- 5.14 LDF Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight.
- 5.15 The dwellings would lie approximately 20m from the existing nearest neighbour to the east; almost 20m to the south east, corner to corner and more than 21m to the new dwelling on the southern side of the road. There would be adequate separation distances between the existing and proposed dwellings and between the two proposed dwellings for there to be no adverse impact on residential amenity as a

result of overlooking or overshadowing. The proposed development is in accordance with LDF Policy DP1.

Highway safety

- 5.16 The Highway Authority has no objections to the use of the existing access and the creation of a new access in this location.

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 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. The development shall not be commenced 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 dwelling shall be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situate within the curtilage of that dwelling have been implemented. 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.
 5. 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 relating to that property has been implemented in accordance with the approved details and thereafter retained.
 6. 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.
 7. 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.

8. 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(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements: (d) The crossing of the highway verge and footway shall be constructed in accordance with the approved details and Standard Detail number E6; and (e) Any gates or barriers 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.
9. 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 C52 village street from a point measured 2.4 metres down the centre line of the access road. The eye height will be 0.6 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
10. 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 SCH922/2.D Proposed Block Plan). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
11. 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.
12. 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; and (b) 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.
13. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawings numbered SCH922/2.D; 3.B; 4.D; and 5.B received by Hambleton District Council on 21 September and 27 November 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. 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.
5. To ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP16 and DP30.
6. To protect the amenity of adjacent residents and the appearance of the streetscene in accordance with LDF Policies CP1, CP16, DP1 and DP30.
7. In accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
8. In accordance with LDF Policies CP2 and DP4 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.
9. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.
10. In accordance with LDF Policies CP2 and DP4 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
11. In accordance with LDF Policies CP2 and DP4 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
12. In accordance with LDF Policies CP2 and DP4 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.
13. 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.

Informative

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 green wheeled bin for garden 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 Neighbourhood 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. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.