

Parish: Pickhill
Ward: Tanfield
7

Committee date: 8 March 2018
Officer dealing: Mrs H Laws
Target date: 16 March 2018

17/02615/FUL

Construction of five detached dwellings
At: Land east of Amberleigh House, Lowfields Lane, Pickhill
For: Cromsdale Group Ltd

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 within the village of Pickhill at the eastern edge of the village, opposite the Primary School, and covers an area of 0.16 hectares. The site forms part of an agricultural field occasionally used for grazing sheep. A mature hedgerow lies along the southern boundary of the application site abutting the highway known as Lowfields Lane. The site rises steeply up from the road and the hedgerow into the field, which continues to rise up beyond the boundary of the application site. A detached dwelling known as Amberleigh House, currently the last dwelling on this side of the road, lies to the west of this site, opposite the village green. Opposite the site to the south west lies Pickhill Primary School. The site lies outside but close to the Pickhill Conservation Area.
- 1.2 Outline planning permission was granted in August 2016 for the construction of four dwellings on a smaller part of the current application site. The submitted indicative layout illustrated four, two storey detached dwellings fronting onto Lowfields Lane, facing southwards. Outline planning permission was then granted on appeal for the construction of a single dwelling on a site immediately adjacent to this site to create a fifth dwelling.
- 1.3 It is now proposed to construct five dwellings on a slightly larger site than the two above mentioned application sites, extending an additional 7.8m along Lowfields Lane. The scheme proposes to construct 2no. three bedroom dwellings; 2no. four bedroom dwellings; and 1no. five bedroom dwelling. The scheme has been amended to replace a four bedroom with a three bedroom dwelling to create a better mix of house sizes.
- 1.4 The existing hedgerow along the front boundary of the site would be removed, as previously approved, and replaced with new hedgerows between the proposed accesses. Each dwelling would have an individual access and driveway from Lowfields Lane. Landscaping is proposed along the edge and within the triangular piece of land that lies outside the application site but within the larger field that is within the ownership of the application. This includes new hedgerows and some trees.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 16/00808/OUT - Outline application with some matters reserved (access to be considered) for the construction of four dwellings; Granted 19 August 2016.
- 2.2 16/02135/OUT - Outline application with some matters reserved (considering access) for the construction of a dwelling; Refused 16 December 2016 for the following reasons:

1. The site is outside Development Limits and fails to meet any of the exceptional circumstances set out in Policy CP4 of the Core Strategy that would justify development outside Development Limits, and would therefore be contrary to Policies CP1, CP2, and CP4 of the Local Development Framework.
2. The proposed development fails to meet all the criteria of the Councils Interim Policy Guidance adopted April 2015, in that it does not reflect the existing built form and character of the village, and would have a detrimental impact on the open character and appearance of the surrounding countryside.

Planning permission was granted on appeal 6 July 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 DP4 - Access for all
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
Size, Type and Tenure Supplementary Planning Document September 2015
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 objection.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Ministry of Defence – No safeguarding objections.
- 4.4 Swale & Ure Drainage Board - If the surface water is to be discharged to any watercourse within the Drainage District, Consent from the IDB would be required in addition to Planning Permission, and would be restricted to 1.4 litres per second per hectare or greenfield runoff.
- 4.5 Public comments – One letter of objection has been received from a local resident whose comments are summarised as follows:
 - The developer has already secured permission to erect four dwellings; the additional house together with the fact that they are all detached would intrude too much;
 - The neighbour's septic tank adjoins the site entrance and may be damaged by builders; and
 - A water pipe traverses the site and may get cut during the development.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of residential development on this site; (ii) the effect of the development on the rural landscape; (iii) the scale and design of the dwellings; (iv) the effect on residential amenity; and (v) highway safety.

Principle

- 5.2 The site falls outside the Development Limits of Pickhill, 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. 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 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 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 but close to the centre of Pickhill which has facilities including a school, church and pub. In the 2014 settlement hierarchy contained within the IPG, Pickhill is still

defined as a Secondary Village and therefore a sustainable settlement. Criterion 1 would be satisfied.

- 5.6 There is an existing outline planning permission for four dwellings, granted in August 2016. Planning permission was then granted on appeal in July 2017 for an additional dwelling at the eastern end of the site. There are therefore extant permissions in place for a total of 5 dwellings on a similar site.

The effect on the rural landscape

- 5.7 The application site extends a further 7.8m to the east and up to 5m to the north beyond the boundary of the above mentioned planning permissions. This would allow additional space for each plot. One of the reasons for refusing planning permission for the single (fifth) house was due to it extending further into the countryside to the detriment of its appearance. The Planning Inspector, on allowing the appeal however, considered that the sweep of Lowfields Lane heads away from the village and, as such, would not close off views of the open countryside beyond the school. It is not considered therefore that an additional 7.8m of encroachment would be significant.
- 5.8 There would remain a gap of approximately 33m between the edge of the application site and the neighbouring garden at Averal. The existing bungalow is currently outside of the village and it is suggested that the retained distance, together with the proposed landscaping scheme, would ensure that this gap remains. The proposed landscaping would provide a soft barrier between the edge of the village and the countryside to provide a distinct separation between Plot 5 and Averal.

Scale and design of dwellings

- 5.9 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."
- 5.10 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.
- 5.11 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.
- 5.12 As amended, the proposed mix of housing types is for two three-bedroom; two four-bedroom; and one five-bedroom dwelling. It is considered that this is an acceptable mix for the five dwellings in total and would accord with the guidance within the Council's Size, Type and Tenure SPD.
- 5.13 The Design and Access Statement describes the character of the surrounding area as rural and agricultural, particularly as the application site forms part of a larger field. The design of the dwellings has drawn from the scale and architectural vernacular of buildings within Pickhill and is considered to reflect the local character and street scene.
- 5.14 The proposed dwellings are well proportioned and in keeping with the scale and plot size of the existing dwellings within this part of the village. Features such as gabled

porches and bay windows, which reflect existing dwellings in Pickhill, have been incorporated into the scheme. The proposal is in accordance with LDF Policies CP17 and DP32.

The effect on residential amenity

- 5.15 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. There is adequate separation between the existing and proposed dwellings for there to be no adverse impact as a result of overlooking or overshadowing. The proposed development would be in accordance with Policy DP1.

Highway safety

- 5.16 The dwellings would be served by individual accesses off Lowfields Lane although Plots 2 and 3 would have one wider access divided into two driveways. The Highway Authority has no objections subject to conditions.

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. 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. 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 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. 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 in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

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 until the accesses 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 crossings of the highway verge shall be constructed in accordance with the approved drawing reference 20241_P-103 Rev B and Standard Detail number E6; (e) Any gates or barriers shall not be able to swing over the existing highway; and (f) That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1:15. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
8. 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 Lowfields Lane from a point measured 2 metres down the centre line of each of the access roads. 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.
9. 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 buildings or other works until (i) details of the widening of the existing carriageway of Lowfields Lane to provide a minimum width of 4.1 metres across the frontage of each plot have been submitted to and approved in writing by the Local Planning Authority; and (ii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority.
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 widening of the existing carriageway of Lowfields Lane to provide a minimum width of 4.1 metres across the frontage of each plot has been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 9 above.
11. No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the approved drawing reference 20241_P-103 Rev B. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
12. 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.

13. 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.
14. The permission hereby granted shall not be undertaken other than in complete accordance with the drawings numbered 20241_P100A: P-103B; P-112; P-200A; P-201A; P-202B; P-203B; P-204A; P-205A; P-206A; P-207A; P-208A; P-209A; P-210A; and 20241_SK-114C received by Hambleton District Council on 4 December 2017 and 15 February 2018 unless otherwise approved in writing by the Local Planning Authority.

The reasons for these 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. In the interests of highway safety in accordance with LDF Policies CP2 and DP4.
7. 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.
8. In the interests of road safety in accordance with LDF Policies CP2 and DP4.
9. To ensure that the details are satisfactory in the interests of the safety and convenience of highway users in accordance with LDF Policies CP2 and DP4.
10. In the interests of the safety and convenience of highway users in accordance with LDF Policies CP2 and DP4.
11. 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.

12. 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.
13. 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.
14. 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 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. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.
3. 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.
4. There must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.