

**Parish: West Rounton**  
Ward: Appleton Wiske and Smeatons  
**15**

Committee date: 8 February 2018  
Officer dealing: Miss Charlotte Cornforth  
Target date:

**17/01815/OUT**

**Outline application (access to be considered) for the construction of one detached dwelling**

**At land and buildings to rear of Ivy Cottage and Rose Cottage, West Rounton  
For Mr & Mrs D Grainger**

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

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site is located within the settlement of West Rounton, which is a Secondary Village in the settlement hierarchy. Historically, the settlement would have been linear in form. However, a relatively large amount of development has taken place to the west of the main road, creating an established block of development behind the main road frontage.
- 1.2 The site is located to the west of Ivy Cottage and borders residential curtilages of dwellings to the north, east and south, with open countryside to the west. The land has been used as domestic garden but not contiguous with any adjacent dwelling. The garden has become overgrown and there are two timber sheds located close to the north east corner of the site, with only their eastern sides visible due to the extent of the overgrown trees and bushes.
- 1.3 The northern, western and southern boundaries of the site are defined by mature trees and dense hedgerow. The eastern boundary with Ivy Cottage comprises a 1.8 metre high timber fence.
- 1.4 The proposal seeks the construction of one detached dwelling. Whilst this application is in outline form and for the details of scale, appearance and layout to be considered at the reserved matters stage, the agent has suggested that the dwelling would be two storey of a similar scale to the existing properties to the existing residential properties to the immediate north and east.
- 1.5 The only matter for approval at this stage is access. The remaining matters, i.e. appearance, landscaping, layout and scale would be for a later application if this is approved.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 75/1177/OUT –Outline application for the construction of a detached bungalow; Refused 27 February 1975.
- 2.2 76/1649/FUL –Construction of a detached private garage; Granted 25 March 1976.

## **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 Policy DP1 - Protecting amenity  
Development Policy DP3 - Site accessibility  
Development Policy DP4 - Access for all  
Development Policy DP8 - Development Limits  
Development Policy DP9 - Development outside Development Limits  
Development Policy DP10 - Form and character of settlements  
Development Policy DP30 - Protecting the character and appearance of the countryside  
Development Policy DP32 - General design  
Development Policy DP33 - Landscaping  
Development Policy 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 response received to date.
- 4.2 Highway Authority – In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters: The design standard for the site is Manual for Streets and the required visibility splay is 43 metres by 2.4 metres. The available visibility is 14 metres by 2.4 metres in a southerly direction. Consequently, the Local Highway Authority recommends that planning permission is refused for the following reason:

The existing access, by which vehicles associated with this proposal would leave and re-join the County Highway is unsatisfactory since the required visibility of 2.4 metres x 43 metres cannot be achieved at the junction with the County Highway in a southerly direction and therefore, in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

- 4.3 Yorkshire Water – No response received to date.
- 4.4 Swale and Ure Drainage Board – Recommends conditions.
- 4.5 Public comments – Six letters of objection and one letter of support.

A summary of the objections are as follows:

- The road for access is unstable by virtue of its width and construction to accommodate further vehicular traffic;
- The visibility at the junction of the access road and county road is restricted by the presence of buildings, for example Corner Cottage;
- Construction traffic would travel up closely to the boundary of Rose Cottage and cause noise and muck;
- The house would be built too close to Rose Cottage and impose on light and privacy;
- The development would result in Rose Cottage being impossible to rent out
- Reduction in price of the house, views and privacy;
- The site is on higher ground than Rose Cottage and would impinge on privacy
- The village has already had its quota of new dwellings;

- The current access to the site is down a narrow lane. There is likely to be considerable disruption (a) caused by large vehicles gaining access (b) removal of debris to clear the site and (c) delivery of materials for the building itself;
- There is a strong likelihood of significant damage to the lane surface from the above traffic;
- Car parking in the immediate vicinity of the proposed building is limited and congestion is likely from tradesman's vehicles during the building phase;
- Is there sufficient capacity in the local utility services and sewerage to cope with another new house;
- There will undoubtedly be noise and general disruption during any building period; and
- The house will inevitably bring with it at least another 2 cars where access and parking is very limited.

The letter of support states that the proposal is for a very modest increase in population that will improve the long-term viability of the village and hopefully the build would be properly managed.

## **5.0 OBSERVATIONS**

- 5.1 The main issues to consider are: (i) the principle of development; (ii) the impact on the character of the surrounding area, including the character and appearance of the village (iii) residential amenity; (iv) highway safety; (v) land contamination and (vi) drainage.

### Principle of development

- 5.2 The site falls outside the Development Limits of West Rounton. 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 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 7th 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 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 In the Settlement Hierarchy reproduced in the IPG, West Rounton is identified as a Secondary Village. This status recognises its range of services and facilities and confirms that it is considered a sustainable settlement capable of accommodating small scale development. The proposal would therefore meet criterion 1 of the IPG, in that it is located where it will support local services.

#### Impact on the character of the village and surrounding area

- 5.6 With regard to criterion 2 of the IPG, development must be small in scale and reflect the existing built form and character of the village. The proposal is for one dwelling and it is therefore considered small in scale.
- 5.7 The site is located to the south of Quaker House and to the west of Rose Cottage and Ivy Cottage. To the south of the site are domestic gardens. The development would not encroach further to the west into the open countryside than Quaker House. This part of the village, exhibits a relatively in-depth development form, rather than a linear form, found in other locations.
- 5.8 The site is consistent with plot sizes in the vicinity and the siting of the dwelling would be viewed as an infill.
- 5.9 It is considered that the proposal would maintain the existing form and character of the village and would not introduce an incongruous feature to the locality. The development is also small in scale and meets the requirements of criterion 2 of the IPG.
- 5.10 Criterion 3 states that development must not have a detrimental impact on the natural, built and historic environment. The proposal by virtue of its scale is considered to not have a detrimental impact upon the natural, built or historic environment.
- 5.11 Criterion 4 states that development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
- 5.12 As the site is already in residential use (i.e. domestic curtilage) and viewed within the context of residential development, the proposed development of a dwelling would not result in harm to the wider countryside to the west of the site.
- 5.13 It is therefore considered that one dwelling can be supported at this outline stage, without causing harm to the character and appearance of the area and the surrounding area.

#### Residential amenity

- 5.14 It is considered that the plot is capable of accommodating a single dwelling that will not prejudice residential amenity, particularly that of Rose and Ivy Cottage. This is in terms of being overbearing in presence, causing loss of light or loss of privacy.
- 5.15 With adequate boundary treatments and positioning of windows, the issue of residential amenity can be addressed as part of a reserved matters application. The

plot is also considered to provide a dwelling that has adequate private amenity space.

#### Highway safety

- 5.16 Criteria 5 of the IPG states Development must be capable of being accommodated within the capacity of existing or planned infrastructure.
- 5.17 The Local Highway Authority has objected to the proposal, based upon the inadequacy of the visibility splays onto the adopted highway. In this case the visibility to the south of the junction with the County Highway is impinged upon by the boundary treatment of the properties fronting the street. Sufficient visibility is available to the north of the junction.
- 5.18 It is noted that cars are unlikely to pass the junction at the maximum legal speed of 30 mph given the narrowness of the road and the proximity of the corner to the south of the junction as you approach the village. However, no speed survey information has been submitted as part of the application to substantiate this.
- 5.19 The access to the site already serves 8 residential properties and the post office. The main issue to consider is therefore the degree of additional impact that a single new dwelling would have on highway safety.
- 5.20 It is considered that the application site has the capacity to provide adequate car parking and on-site turning space for one dwelling to ensure that a car can leave the site in a forward gear. This will be secured via planning condition.
- 5.21 It is considered that on balance, due to the nature of the village streets and the proximity of the corner to the south, the net increase of one property will not give rise to additional vehicular traffic to a degree that will be detrimental to highway safety, notwithstanding the concerns raised by the Highway Authority in terms of the available visibility splay.

#### Land contamination

- 5.22 The submitted Preliminary Land Contamination Assessment does not outline any potential sources of contamination and therefore the risk of contamination affecting the development or end users is considered to be low.

#### Drainage

- 5.23 Foul drainage will be disposed of via the mains sewer and surface water via a soakaway. The exact details of which will be agreed by planning condition.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to 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 whichever 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 means of access to the building plot(s), (b) the siting, design and external appearance of each building, including a schedule of external materials to be used; (c) the landscaping of the site; (d) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (e) the scale (including the number) of buildings overall.
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. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority. The development shall not be undertaken other than in accordance with the approved details and shall thereafter be retained in accordance with those details.
5. If the surface water is to be discharged to any watercourse within the Swale and Ure 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. No obstructions within 9 metres of the edge of a watercourse are permitted without consent from the IDB.
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. The development shall not be occupied 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. This should include measures to ensure the protection of the boundary hedges and trees. 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.
8. This decision grants permission for no more than 1 dwelling. The size of the dwelling in the reserved matters submission shall reflect the mix and size requirements as expressed in the Size, Type and Tenure SPD.
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 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 in consultation with the Highway Authority:
  - a. vehicular and pedestrian accesses
  - b. vehicular parking

c. vehicular turning arrangements

No part of the development shall be brought into use until the approved vehicle access, parking 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

The reasons for the proposed 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. 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. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework Policies CP3 and DP6.
5. In accordance with Local Development Framework Policies CP3 and DP6.
6. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
7. 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 CP17, DP32 and DP33.
8. To ensure that the scope of the decision reflects the proposal made and that the development meets local needs in terms of the size and type of dwellings in accordance with LDF Policy DP13 and the Size, Type and Tenure SPD.
9. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.