

Parish: Hornby
Ward: Appleton Wiske & Smeatons
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Committee Date : 5 March 2020
Officer dealing : Ms Helen Ledger
Target Date: 1 November 2019
Date of extension of time (if agreed):

19/01898/OUT

**Outline Application with some matter reserved (considering access) for the construction of one dwelling.
at Part OS Field 0051 (South West Of The Meadow) Hornby North Yorkshire
for Mr M Morrison.**

1.0 Site context and proposal

- 1.1 The application site is located on the western edge of Hornby, which is a small village located some 10km to the north of Northallerton. The site lies outside any development limit and adjacent to a recently completed detached dwelling, which gained consent under 16/01885/OUT. Both dwellings are to the west of a converted Chapel, Field View House. The application site forms a parcel of land forming part of a wider agricultural field.
- 1.2 At this end of the village, the built form is generally linear in nature. Field View House is set relatively close to the roadside and the neighbouring property of Talbot House is set further forward. The Grange Arms Public House is located beyond, fronting the junction. The dwellings to the south of the road are set further back from the road with a large detached property visible on the approach to the village. The recently completed dwelling, is detached and well related to the road frontage and established development pattern of the village to the east.
- 1.3 This approach to the village is enhanced by good quality planting including mature trees and hedgerows, which soften the transition between the built form and the countryside.
- 1.4 The boundary of Hornby Conservation Area wraps around the converted chapel building, with the application site falling immediately outside. The converted chapel building is recognised as being a non-designated heritage asset. This was established when planning permission (13/01129/FUL) was granted to convert the chapel into a dwelling.
- 1.5 The application is in outline form with only access considered. An illustrative site plan, floor plans and elevations have been submitted in support of the application. However, as all matters are reserved, these have been given limited weight in considering the merits of the proposed development.

2.0 Relevant planning and enforcement history

- 2.1 None relevant

3.0 Relevant planning policies

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

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
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
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
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

Hambleton emerging Local Plan –

As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990. The Hambleton Local Plan Publication Draft July 2019 has completed the 'Representations' period (30th July 2019 to 17th September 2019). The Development Plan for Hambleton is the Local Development Framework and the emerging Local Plan at this time is no more than a material consideration to which only limited weight can be afforded.

4.0 Consultations

- 4.1 Hornby Parish Council - Consulted and no comments received.
- 4.2 NYCC Highways - Results of the speed survey requires a visibility splay 82 metres by 2.4 metres. The village sign located on a stone plinth comprises the visibility to the west of the site and agreement from the Parish Council has been received to ensure this can be lowered in height by 107mm to allow acceptable visibility at the applicant's expense. No objection response received subject to model conditions.
- 4.3 Environmental Health (contaminated land) having assessed the Preliminary Assessment of Land Contamination (PALC) form submitted in support of the above development, there are no identified any potential sources of contamination on the form and therefore the risk of contamination affecting the development or end users is considered to be low. Therefore, the Environmental Health Service has no objections to this scheme.
- 4.4 Northumbria Water - Comments only on surface water disposal. The developer should develop their surface water drainage solution by working through the drainage hierarchy.

4.5 Application advertised as a development plan departure , site notice posted and neighbours notified. No representations received.

5.0 Analysis

5.1 The main issues to consider are: (i) the principle of a new dwelling in this location; (ii) the impact on the character of the surrounding area, including the character and appearance of the Conservation Area; (iii) the impact on the amenity of neighbouring occupiers; and (iv) highway safety.

Principle

5.2 The village of Hornby does not have any Development Limits, recognising its small size. 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) published in March 2012. 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 consistent interpretation of the NPPF alongside Policies CP4 and DP9, 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.

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 IPG Hornby is identified as an Other Settlement. This is in recognition of the relatively small number of services and facilities, which include a pub and village green. Therefore for development to be acceptable it would need to form a cluster with a Secondary or Service Village or one or more Other Settlements. Where a cluster comprises only Other Settlements, they must have a good collective level of shared service provision in order to comply with criterion 1 of the IPG.
- 5.6 Great Smeaton and Appleton Wiske, which are both Secondary Villages, are the largest settlements in closest proximity and are approximately 1.6km and 2.5km respectively. The IPG notes, that in order to form a sustainable community, villages must be clustered with other settlements where there are no significant distances or barriers between them. The IPG defines "significant distance" as approximately 2km. It is therefore considered that Hornby can be viewed as an example of a cluster village with Great Smeaton and Appleton Wiske. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable.

Impact on character

- 5.7 IPG criterion 2 requires development to be small scale. In this instance only one dwelling is proposed, which is considered to be an acceptable scale in this location.
- 5.8 Along with the remainder of criterion 2, criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural and built form, including the historic environment.
- 5.9 In making this assessment it is noted that the application is in outline form only with all matters reserved with the exception of access. The plans submitted as part of the application are for illustrative purposes only. Therefore, they have been given little weight in forming the recommendation, which focuses solely on the principle of development.
- 5.10 It is recognised that the proposed development plot compares well in terms of sizing and dimensions of recent planning approvals in the nearby vicinity. There are a mix of plots and house sizes and designs in the surrounding area.
- 5.11 When approaching the village from the west, the recently completed detached house and the converted chapel is visible and announces the start of the linear form of development that is prevalent in the western part of the village, which closer to the centre of the settlement. The boundary of the village conservation area includes Field View House to the east of the application site. The only noticeable exception to the typical built form is Talbot House and the public house to the east, which are built close to edge of the road.
- 5.12 Any new form of development needs to reflect the existing built form. It is considered that the location of the site is capable of accommodating a dwelling that is in-keeping with the existing linear nature of development. It is likely that an acceptable form of development would require the building positioned in line with the, recently completed detached dwelling, The Meadow, and Field View House.

- 5.13 It is considered that the site is capable of accommodating a dwelling designed to be responsive to its environment and proportionate to the plot size. Any design would need to respond to established plot ratios and the setting of the Conservation Area. Schemes that do not consider and respond positively to this context are unlikely to be supported.
- 5.14 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Hornby Conservation Area. The Conservation Area covers a mainly residential area, accommodating dwellings with a predominantly linear built form on either side of the road passing through the village. The conversion of the chapel has introduced more domestic elements to the building, albeit the work has been done sensitively and it retains elements of its original character. However, it is clearly in use as a dwelling and is viewed in this context. Therefore the introduction of an additional dwelling into this setting would preserve the setting of the Conservation Area and converted chapel building. Further consideration of the impact of the design on these elements would be made at reserved matters stage.

Residential Amenity

- 5.16 The main impact to consider is in relation to the occupiers of the new neighbouring dwelling, known as The Meadow. The curtilage to the rear of the dwelling is relatively consistent with the plot proposed through this application. It is considered, should this plot be developed, a scheme for a dwelling, that has been sensitively designed, could be achieved on the site and not result in an adverse level of harm to residential amenity to neighbouring occupiers and as such would be consistent with the requirements of Development Policy DP1 which seeks to ensure that proposals do not result in an unacceptable loss of residential amenity.

Highways

- 5.17 Whilst the current use of the site is an agricultural field, it is considered that the site is capable of accommodating suitable access arrangements. The Highway Authority has raised no objections.

Planning balance

- 5.18 It is found that the proposed single dwelling can comply with all the criteria in the Interim Policy Guidance note and subject to conditions is recommended for approval.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)
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 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 of buildings overall.
3. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered HDC/3137/02 Rev B received by Hambleton District Council on 19 November 2019 unless otherwise approved in writing by the Local Planning Authority.
4. 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 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.
5. 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 to the east of the proposed access, and 82 metres to the west of the proposed access, measured along the channel of the major road C1 from a point measured 2.4 metres down the centre line of the access road. The eye height shall 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.
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 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:
 - (i) vehicular and pedestrian accesses;
 - (ii) vehicular parking; and
 - (iii) vehicular manoeuvring and turning arrangements.
7. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 2 are available for use unless otherwise approved in writing by the Local Planning Authority. 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 in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway 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 in consultation with the Highway 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; and
 - (iii) the approved areas shall be kept available for their intended use at all times that construction works are in operation.
10. Prior to commencement of development, other than the initial formation of the access, full details of all levels shall be provided to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved scheme. Levels shall be taken from a known, fixed datum point and shall include existing and proposed ground levels along with finished floor, eaves and ridge levels.
11. Prior to the installation of any underground drainage, full details of surface and foul water disposal shall be provided in writing to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

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) DP32.
4. In the interests of Highways safety and to accord with DP3.

5. In the interests of highway safety and to accord with DP3.
6. To ensure appropriate on-site facilities, in the interests of highway safety and the general amenity of the development.
7. To provide for appropriate on-site vehicle facilities, in the interests of highway safety and the general amenity of the development.
8. To ensure that no mud or other debris is deposited on the carriageway, in the interests of highway safety.
9. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
10. In order to protect the character and amenity of the area in accordance with DP1 and DP32.
11. To ensure that appropriate foul and surface water disposal methods are installed.