

Parish: Sinderby

Ward: Tanfield

7

Committee Date:

5 March 2020

Officer dealing:

Mrs H Laws

Target Date:

11 March 2020

20/00003/FUL

Alterations and extensions to existing dwellinghouse to form 2no. dwellings with the formation of new vehicular access and parking

At: The Old Post Office, Sinderby

For: Mrs Rosina Gilboy

1.0 Site context and proposal

- 1.1 The site lies centrally within the village of Sinderby, on the eastern side of the village street. The application site forms part of an existing dwellinghouse, which is an end of terrace dwelling with a driveway to the side and detached garage to the rear.
- 1.2 The dwelling is currently a four bedroom property, which was originally two properties that formed part of a terrace of three units. The middle dwelling was previously known as Middling Cottage. The adjacent dwelling, Spring House, lies at the northern end of the terrace.
- 1.3 It is proposed to sub-divide the dwelling and create two dwelling units; each would be a two/three bedroom unit. An existing dormer window lies on the rear elevation, serving a study that covers half the floor area of the attic space, which is currently separated by an internal dividing wall. It is proposed to provide an additional room within the roofspace to be served by rooflights. The external alterations include the reinstatement of a door and the construction of a porch on the front elevation.
- 1.4 Parking is proposed at the front of the proposed dwelling, which would require the removal of the brick boundary wall. The existing parking for The Old Post Office is provided by a driveway on the southern side of the dwelling and this would be retained for the existing dwelling.

2.0 Relevant planning and enforcement history

- 2.1 09/00689/FUL - Alterations and extensions to dwelling to form two dwellings and alterations/extensions to outbuilding to form domestic garage/studio. Application withdrawn 23 April 2009.
- 2.2 09/01800/FUL - Single storey rear extension, alterations and extension to outbuilding to form a domestic garage/studio. Permission granted 24 August 2009.
- 2.3 15/01777/FUL - Single storey rear extension; alterations and extensions to outbuilding to form a garage/studio and loft conversion. Permission granted 29 September 2015.
- 2.4 16/01419/FUL - Alterations and subdivision of dwelling to form two dwellings. Permission granted 19 August 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
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
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 Parish Council - no objections. Proposed development is welcomed and supported. Many years ago, this was two dwellings and the villages need some more 'affordable' accommodation.

4.2 Highway Authority - conditions recommended.

4.3 Public comments - no comments received.

5.0 Analysis

5.1 The issues to be considered include:

- (i) the principle of creating an additional dwelling unit in this location;
- (ii) the impact of the proposed alterations on the character and appearance of the dwelling and the surrounding area;
- (iii) the impact on residential amenity; and
- (iv) highway matters

Principle

5.2 The site falls outside Development Limits as Sinderby does not feature within the settlement hierarchy defined within Policy CP4 of the Core Strategy. 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). Paragraph 78 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. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby".

- 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 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 2014 settlement hierarchy contained within the IPG, Sinderby is defined as an "other settlement"; 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". To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The facilities within Sinderby comprise a village hall. The only settlement within approximately 2km is Pickhill, which is a Secondary Village in the Settlement Hierarchy. It is accessible from Sinderby by the unlit road, which has no footway. Whilst Pickhill has a pub, a primary school and a church, there are no cycle paths, footpaths or bus routes linking the two villages. Crucially however, the distance between the proposed application site and the services in Pickhill by road is less than 2km, which is considered to be an acceptable separation allowed for in the IPG. It is considered that Sinderby and Pickhill are capable of forming a cluster with

sufficient facilities and services to support a sustainable community and would satisfy Criterion 1.

Character and appearance

- 5.6 The existing dwelling was originally two smaller properties in keeping with the scale of the other dwelling in the terrace. The proposed alterations would result in two smaller family homes without a significant change to the appearance of the street.
- 5.7 The proposed physical alterations are minor and would not detract from the character of the dwelling and would have no greater impact on the appearance of the area. The removal of the boundary wall for parking at the front of the property would not detract significantly from the character and appearance of the area.

Residential amenity

- 5.8 The site is already in residential use but approval of the application would effectively double the number of households. It is considered that the proposed subdivision of the rear and front gardens would result in adequate amenity space for each of the proposed dwellings and would provide private space for the properties; there would be no unacceptable overlooking or overshadowing as a result of the development, which would be no greater than currently experienced between the existing dwelling and its neighbour. The proposed development would be in accordance with LDF Policy DP1.

Highway matters

- 5.9 The Highway Authority has no objections subject to conditions regarding the crossing of the footway and the retention of the parking provision as proposed. It is considered that the proposed development will not have any significant harmful impact on highway safety.

Planning balance

- 5.10 In assessing this application it is clear that the proposal would create an additional dwelling in a sustainable location without causing harm to the form and character of the village and without harm in terms of residential amenity or highway safety. The scheme is found to result in social gains through the provision of new housing, the economic impact of the development would be small but positive and the environmental impacts as a consequence of the development are on balance found to be positive. No other material considerations would preclude a grant of planning permission. The proposed development is found on balance to be acceptable.

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. 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.
3. 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. The crossing of the highway footway shall be constructed in accordance with Standard Detail number E50. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
4. The dwelling shall not be occupied until the related parking facilities have been constructed in accordance with the approved drawing (1 to 200 Site Map). Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
5. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and drawing numbered 09/0014/02A received by Hambleton District Council on 2 January 2020 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 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.
3. 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.
4. To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.
5. 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.