

# 12

15/01090/OUT

**Outline application for a single dwelling.  
at Land Adjacent To West House Thrintoft North Yorkshire DL7 0PL  
for Pilcher Homes Ltd.**

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 Members deferred consideration of this application to allow a visit to be made to the site and to request illustrative details. The application site lies close to the south western edge of the village with vehicular access gained from the village street. The street ends at the front of the application site where it gains access to a neighbouring driveway. The site is currently grassed and vacant with part fencing/part hedgerows/part neighbouring buildings to the side boundaries. It provides access to agricultural fields to the rear (south). Fencing and gates form the front and rear boundaries.
- 1.2 The site has a frontage onto the village street of approximately 11m and a depth of approximately 50m.
- 1.3 The application is in outline to construct a single dwelling on the site. All matters are reserved for future consideration but illustrative details have now been requested, which will be available for Members to inspect at the site visit.

## 2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 None.

## 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 CP19 - Recreational facilities and amenity open space  
Core Strategy Policy CP21 - Safe response to natural and other forces  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP6 - Utilities and infrastructure  
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 DP37 - Open space, sport and recreation  
Development Policies DP43 - Flooding and floodplains  
Interim Guidance Note - adopted by Council on 7th April 2015

## **4.0 CONSULTATIONS**

- 4.1 Parish Council - Having visited the site with the applicant, and spoken with the neighbours in West House, there is no reason other than to be supportive of the application at this stage. Access will not be a problem, nor as far as we can see will drainage/sewerage; we know that HDC will of course carefully assess such matters. The neighbours in West House are content at this stage. You will wish to hear too from the neighbours in Riverdene / Swaleview who were not available when I visited. Once we see the more detailed plans we will revert to you if we have any concerns: as long as this is a tasteful in-fill, in keeping with the eastern end of the village, at present we have no concerns.
- 4.2 NYCC Highways - conditions recommended
- 4.3 Environment Agency - no comments required
- 4.4 Historic England - no comments
- 4.5 HDC Environmental Health - no objections or recommendations
- 4.6 Site notice/local residents - objections have been received from the residents of Riverdene, which lies to the west of the application site. The comments are summarised as follows:
1. Overshadowing/loss of light as a result of the development as a dwelling would block natural daylight
  2. Loss of privacy/overlooking and additional noise and disturbance
  3. No respect for local context and street pattern, in particular the scale and proportions of surrounding buildings
  4. Plot not of sufficient size and would create a built up appearance when viewed from the road
  5. Contrary to IPG, Policy DP1, Policy DP8
  6. Narrow plot would not provide adequate space for vehicles to turn
  7. Further increase volume of traffic in the village; additional vehicles would have a detrimental impact on residential amenities and environment
  8. Contrary to Policies CP1 and CP2

## **5.0 OBSERVATIONS**

- 5.1 The main issues for consideration in this case relate to the principle of new dwellings in this location outside Development Limits, an assessment of the likely impact of the proposed dwelling on the character and appearance of the village, neighbour amenity, highway safety and developer contributions.
- 5.2 The site falls outside of Development Limits as Thrinfoth 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 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 The NPPF identifies some special circumstances that are consistent with those set out in Policy CP4, with the addition of "the exceptional quality or innovative nature of the design of the dwelling". None of these exceptions are claimed by the applicant.
- 5.4 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.
- 5.5 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."
- 5.6 In the 2014 settlement hierarchy contained within the IPG, Thrintoft is defined as an "other settlement" and is therefore classed as a sustainable 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 site lies within the village of Thrintoft which is identified in the Interim Policy Guidance as an example of a cluster village. The cluster comprises the three villages of Ainderby Steeple, Morton on Swale and Thrintoft. These three villages have long been linked economically and socially which continues to the present day. Collectively these three villages have a church, pre-school, primary school and shops, whilst each village supports a public house. Each village is readily accessible to each other on foot or bicycle as well as by car on the local road network. Thrintoft is less than a mile distance from either Ainderby Steeple or Morton on Swale. Criterion 1 would be satisfied.
- 5.7 Proposals must also be small in scale and provide a natural infill or extension to an existing settlement and also conform with other relevant LDF Policies. Thrintoft is characterised by linear development and the addition and extent of this residential development needs to reflect the established character. This proposal is for a single infill dwelling and as such is considered to be of a suitable scale in principle.
- 5.8 It is important to consider the likely impact of the proposed development with particular regard to criteria 2, 3 and 4 of the IPG. The proposed dwellings would be within a field that forms an infill plot within the village and which has more in common

with the village than with the rural landscape beyond. The following detailed advice within the IPG is considered to be relevant:

"Proposals will be assessed for their impact on the form and character of a settlement. Consideration should be given to the built form of a settlement, its historical evolution and its logical future growth and how the proposal relates to this."

"Any detrimental impact on the character, appearance and environmental quality of the surrounding area should be avoided and development should not compromise the open and rural character of the countryside."

- 5.9 As such it is considered that the development proposed, and the limited loss of openness, would appropriately respect the general built form of the village. There is no identified harmful impact to the built or historic environment.
- 5.10 The site of the proposed development has a frontage onto the village street of approximately 11m, which is relatively narrow when compared to its neighbours. It is likely therefore that a dwelling would need to be constructed relatively close to the boundaries with the adjacent properties to either side. The impact on residential amenity would depend on the detailed design of the dwelling but it would be expected that it could be designed to minimise overlooking and any increased sense of enclosure that could be experienced by those residents. The dwelling to the west is single storey with windows facing onto the application site and therefore the design of the proposed dwelling must take these features into account to avoid it having an overbearing presence.
- 5.11 Although the access is one of the reserved matters the Highway Authority has no objections regarding the proposed development. It is not considered that the proposed development would adversely impact highway safety.
- 5.12 Under the Community Infrastructure Levy (CIL) regulations the proposed dwellings are liable for payment of CIL at a rate of £55 per sq. m, the rate adopted by the Council on 7 April 2015.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application 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 the development hereby approved shall be begun on or before whichever is the later of the following dates: i) Five 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. The development shall not be commenced until details of the following reserved matters have been submitted to and approved by the Local Planning Authority: (a) the layout, scale and appearance of each building, including a schedule of external materials to be used; (b) the means of access to the site; (c) the landscaping of the site.
  3. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be 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 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. 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.
6. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0800 hours and 1800 hours Monday to Saturday and there shall be no such work on Sunday or on any public holidays unless by prior written consent of the Local Planning Authority.
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 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: vehicular access; vehicular parking; vehicular turning arrangements; and manoeuvring arrangements.
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. 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.
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: on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway; 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.

10. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan received by Hambleton District Council on 21 May 2015 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 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 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 in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
6. In order to protect the amenities of residential property in the locality in accordance with LDF Policies CP1 and DP1.
7. To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.
8. 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.
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 in accordance with LDF Policies CP2 and DP4.
10. 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.