

Hornby
Appleton Wiske & Smeatons

Committee Date : 13 January 2022
Officer dealing : Ms Helen Ledger
Target Date: 24 November 2021
Date of extension of time (if agreed):

2

21/02080/FUL

Construction of 1no dwellinghouse.

At: Land North West Of Seven House & Part OS Field 0051 Long Lane Hornby

For: Mr M Morrison.

The proposed development is brought to Members at the request of a Member of the Council

1.0 Site, context and proposal

- 1.1 The site is located to the north of the central cross-roads on the northern edge of the village. It is positioned adjacent the road frontage to the west and neighbours a recently completed dwelling, Seven House. The village does not have a development limit and is considered as part of the wider countryside. The central traditional village form is recognised by a conservation area designation.
- 1.2 The application is submitted in full for the development of one dwelling. This is a large, detached dwelling with an "H" shaped footprint and integrated double garage to the front. A street scene shows the relationship with the neighbouring recently completed dwelling and shows the fall in land levels across the site.

2.0 Relevant Planning History

- 2.1 The site has no planning history, although it is noted similar detached dwelling to the south was granted consent in 2017 under 17/01808/OUT and opposite this site to the east of this proposal was granted consent in 2018 under ref: 18/00925/OUT.

3.0 Relevant Planning Policies

- 3.1 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 out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Hambleton Emerging Local Plan

The Hambleton Local Plan was considered at Examination in Public during October-November 2020. Main Modification consultation was completed in November 2021. It is anticipated that the Local Plan will be adopted following the Council meeting on 22 February 2022.

Further details are available at

<https://www.hambleton.gov.uk/homepage/60/new-local-plan-examination>. The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.

Core Strategy Policy CP1 - Sustainable development

Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP8 - Type, size and tenure of housing
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
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
Development Policies DP33 - Landscaping
Development Policies DP28 - Conservation
National Planning Policy Framework
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 Consultations

- 4.1 Hornby Parish Council - No comments received
- 4.2 NYCC Highways - The proposed 2.4m by 45m visibility splay in both directions at the access is not sufficient in this instance as the site sits outside the 30mph speed limit. Typically in this scenario a DMRB compliant visibility splay (215m) would apply to traffic approaching from the north or a speed survey would be required to determine the appropriate splay. However, the following was agreed in relation to the site opposite (18/00925/OUT) 'DMRB should be used to the north of the proposed access (for traffic travelling towards the village). The required visibility splay in this instance is 2.4 metres by 160 metres. Manual for Streets can be applied to the south of the proposed access (for traffic leaving the village). The required visibility splay in this instance is 2.4 metres by 43 metres.' For consistency I would expect that these visibility splays be applied (160m looking north and 43m looking south). New Plan requested from agent, highway comments to be provided on the update sheet.
- 4.3 Environmental Health - This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. Therefore, the Environmental Health Service has no objections.
- 4.4 Contaminated land - Preliminary Assessment of Land Contamination (PALC) form submitted in support of the above development, the applicant/agent has not 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.
- 4.5 Northumbria Water - Consulted, no response received
- 4.6 Site advertised as a Development Plan departure in the local press.

4.7 Site notice posted and neighbours notified. One representation received in support, the following is a summary of the issues raised.

- The application should be granted as the new house is a natural extension to the village.

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 village and the rural landscape; (iii) the impact on the amenity of neighbouring occupiers; (iv) the effect on nearby heritage assets; (v) the implications of the public sewer; and (vi) highway safety.

Principle

5.2 The village of Hornby does not have any Development Limits, recognising its relatively small size. 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, 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 away 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. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable.
- The character of the village and the surrounding countryside
- 5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings; however this does not automatically mean that five dwellings would be appropriate in every settlement. In this instance a single dwelling is proposed, which must be considered cumulatively. Permission has been granted for new residential development along all three of the roads radiating from the village. Both sides of the road at the western edge of the village, 4 new dwellings including the conversion of the Chapel (14/01316/FUL, 16/01885/OUT, 18/02135/OUT, 19/01898/OUT)
Three dwellings at the eastern edge of the village (16/02681/OUT)
Two dwellings to the north (17/01808/OUT and 18/00925/OUT)
- 5.8 Criteria 3 and 4 require that development must not have a detrimental impact on the natural, built and historic environment and the open character and appearance of the surrounding countryside. The village conservation area lies 30m to the south and is tightly focused on the history core along a ridge line that drops away to the north. Whilst the application is for a single dwelling and not considered to significantly harm the setting of the conservation area it is noted the land begins to fall southward at this point moving away from the main village front street. This site is marked change in height position compared to other dwellings already in position and begins to encroach on the open countryside that surrounds the village.
- 5.9 Based on 2014 figures there are a total of 48 dwellings within the village; the additional nine dwellings of which planning consent is extant represents an increase of more than 18%. The number of dwellings currently approved are in different parts of the village to each other and cumulatively do begin to influence the form and character of the whole village.
- 5.10 The dwelling now proposed lies adjacent to existing dwellings, but it is considered that further expansion northward would begin to overwhelm the setting of the village and adversely affect the open rural character of the surrounding countryside. The form of the village is mainly oriented around the road running from the south west to the north east, through the village, with little in the way of additional extension to the north. Further expansion to the north is considered harmful to the form of the settlement. Therefore, it is considered that the proposed development would fail the second and fourth criteria of the Interim Guidance.

- 5.11 There is no evidence that the proposal could not be supported by the capacity of existing or planned infrastructure.

Design

- 5.12 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."
- 5.13 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. The National Planning Policy Framework Planning supports this approach and, at paragraph 130, 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.
- 5.14 The design proposed is modern and common in many places, and no particular design features mark it out as being uniquely influenced by location. The materials are proposed as brick and grey slate with a cross brickwork pattern in toward the eaves and a central glazed ridge and porch area. Brick buildings are found throughout the village, as most new dwellings have used brick. Slate is a less common roofing material across the district, and the village is mixed between terracotta and concrete tile in the majority. The massing does not feel too large considered in isolation with the very large Seven House, but on the whole dwellings are smaller and simpler in the vicinity and throughout the village.

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. The main impact to consider is in relation to the occupiers of the adjacent dwelling, Seven House, to the south. Given the separation distances proposed on the block plan and the arrangement of windows it is not considered that there is a significant impact on this established dwelling. The site lies far enough from the dwellings on the opposite side of the road for there to be no impact on the amenity of those residents. The proposed development would not therefore be contrary to LDF Policy DP1.

Heritage Assets

- 5.16 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.
- 5.17 The Conservation Area covers a mainly residential area, accommodating dwellings with a predominantly linear built form on either side of the main road passing through the village. Therefore the introduction of an additional dwelling into this setting would preserve the existing character of the Conservation Area. The design proposed is a substantial dwelling with a strong relationship to the frontage as is the pattern of development locally. The design is modern and common in many places,

no particular design features mark it out as being uniquely influenced by its location. However, the principle of development in this location is considered to have no detrimental impact on the setting of the Conservation Area.

Highway safety

- 5.18 Using data presented from survey work for other nearby development the Local Highway Authority have accepted that a visibility splay of 2.4 metres by 43 metres south and 160m north would be acceptable. A plan has been requested but at the time of writing has not been provided. More information will be provided in the update sheet.

Planning balance

- 5.19 The proposal is not considered to accord fully with the requirements of the Interim Policy Guidance note (2014) in that the development proposed would have a negative impact on the local form and character of the village. The dwelling now proposed lies immediately adjacent to and opposite recently dwellings and further expansion northward would begin to overwhelm the setting of the village and adversely affect the open rural character of the surrounding countryside. Therefore, it is considered this would fail the second and fourth criteria of the IPG.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The proposed development is considered to be harmful to the character and form of the settlement through the further expansion to the north and fails to protect the character of the countryside surrounding the settlement. It is considered that the proposed development would not accord with the requirements of policy DP30 or DP32 or the Interim Policy Guidance note (2014) criteria 2 and 4.