

**Parish: Carlton Miniott**

Ward: Thirsk

**4**

Committee date: 10 March 2022

Officer dealing: Mr. M. Pearson

Target Date: 1 January 2021

Extension of Time (if agreed):

**20/02429/REM**

**Reserved matters application attached to Planning Application 19/01069/OUT - Outline application with some matters reserved (considering access) for up to five residential dwellings**

**At: Land east of Tree Tops, Carlton Road, Carlton Miniott**

**For: Mr M Hurrell**

**This application is referred to Planning Consultative Panel as the application is a departure from the Development Plan**

### **1.0 Site, context and proposal**

- 1.1 This application has previously been presented to the consultative panel in August 2021. At this meeting members advised that the application needed to resolve drainage matters and that it should be presented to full planning committee.
- 1.2 The site is located to the south of the A61 and to the east of the settlement boundary of Carlton Miniott, in the gap between the eastern and western parts of the village. The site comprises part of a larger agricultural field and is defined by hedgerows and tree planting along the northern boundary facing Carlton Road whilst the western boundary is defined by a fencing and hedgerows associated with the adjacent residential property. The southern and eastern boundaries are not defined on the ground as they sit within the field enclosure.
- 1.3 To the west are a variety of modern residential developments comprising detached single and two storey properties and short terraces of two storey houses. To the north is a combination of agricultural land and the heavily wooded grounds of the large detached house named The Chesters. To the south and east is agricultural land that forms part of the rural context of Carlton Miniott.
- 1.4 In February 2021 outline planning consent (19/01069/OUT) was granted at appeal (APP/G2713/W/19/3239103) for the construction of up to five dwellings. This reserved matters submission seeks approval for the layout, scale, appearance and landscaping.
- 1.5 During the course of the application the proposals were amended following discussions with the agent regarding the scale, form, design, site levels and housing mix. Furthermore, considering the request from members at the August panel meeting the drainage details have been clarified for the purposes of this committee meeting.

## **2.0 Relevant planning history**

- 2.1 19/01069/OUT - Outline application with some matters reserved (considering access) for up to five residential dwellings. Refused and subsequent appeal allowed ref: APP/G2713/W/19/3239103.

## **3.0 Relevant planning policies**

- 3.1 The relevant policies are:

Local Plan Policy S 1 - Sustainable Development Principles  
Local Plan Policy S 3 - Spatial Distribution  
Local Plan Policy S 5 - Development in the Countryside  
Local Plan Policy S 7 - The Historic Environment  
Local Plan Policy HG 2 - Delivering the Right Type of Homes  
Local Plan Policy HG 5 - Windfall Housing Development  
Local Plan Policy E 1 - Design  
Local Plan Policy E 2 - Amenity  
Local Plan Policy E 3 - The Natural Environment  
Local Plan Policy E 5 - Development Affecting Heritage Assets  
Local Plan Policy E 7 - Hambleton's Landscapes  
Local Plan Policy CI 1 – Infrastructure Delivery  
Local Plan Policy CI 2 - Transport and Accessibility  
Local Plan Policy RM 2 - Flood Risk  
Local Plan Policy RM 3 - Surface Water and Drainage Management

## **4.0 Consultations**

- 4.1 Carlton Miniott Parish Council – Object based on the impact of the two storey properties on the streetscene and wider landscape. Suggest dormer bungalows would be more suitable in keeping with the properties to the west.
- 4.2 NYCC Highways – No objection subject to a minor change to the internal turning arrangement for plots 3 and 4.
- 4.3 Yorkshire Water – No objection to the initial drainage proposals.
- 4.4 MOD – No safeguarding concerns.
- 4.5 Site notice (expired 24.12.2020) – No observations received.
- 4.6 Neighbour notification – No responses received (expired 16.3.2019) and re-consult expired (1.8.2021)

## **5.0 Analysis**

- 5.1 Following the grant of outline planning permission at appeal, establishing the principle of development, the issues to consider in this application are the layout, scale, appearance and landscaping, together with drainage, highways and residential amenity.

## Layout

- 5.2 The proposed layout generally reflects the indicative layout illustrated on the access drawing submitted during the outline application process. The layout provides five dwellings accessed via a single access point off Carlton Road. The internal access road runs behind the retained hedgerow along Carlton Road to provide access to the driveways and detached garages associated with the new dwellings. The layout of the scheme was amended during the application process to provide side driveways with detached garage to rear. This approach provides some separation between the dwellings to provide a break in the massing to the streetscene and given the location of the detached garages would also allow for some views to the countryside beyond. In addition, the proposed dwellings are set well back from the highway which is generally reflective of the established building line on the south side of the highway. During the course of the application the mix across the scheme was amended to better reflect the Size, Type and Tenure of New Homes SPD Local Plan Policy HG2. This proposal provides 3 x 3-bedroom units and 2 x 5-bedroom units which reflects the requirement to provide a greater proportion of smaller units. It also provides the same number of bedspaces (19) indicated on the approved access drawing associated with the outline approval (19/01069/OUT). Following amendments to the internal arrangement of some of the house types the proposed dwellings do not provide the opportunity for overlooking to the adjacent property to the west or to each other and thus do not raise any amenity concerns. Furthermore, the proposals provide sufficient private amenity space to each dwelling. On the basis of the above the application is considered to provide a satisfactory layout in accordance with Local Plan Policies Development Framework Policies S1, E1, E2.

## Scale

- 5.3 The proposal provides two storey dwellings with pitched roofs across the site. Whilst it is noted that the development immediately to the west contains a variety of single storey development it is considered that the application site is capable of taking two storey scale given the curvature in the alignment of the highway, the separation of the site from the context together with the intervening landscaping (to the west and along the frontage). On this basis the relationship between the application site and context is limited in views from Carlton Road. It is noted that the Parish Council do not consider the scale to be acceptable and suggest dormer bungalows would be more suitable. It is noted that whilst all the proposed dwellings are two storey in height, the proposed dwelling at the western end of the application site is smaller in footprint and of a different form (with a single storey side element) in contrast to the form of the units across the remainder of scheme. This approach provides a transitional element between the application site and development to the west. This reduced massing would be viewed, from the footpath access point through the hedgerow at the western end of the site and is therefore an appropriate response on this occasion. Furthermore, the substantial setback distance of the proposed dwellings from the highway that would also be set behind a mature hedgerow with isolated trees assists in the visual assimilation of the scale of development in views from Carlton Road. On this basis the scale of the proposed development is considered acceptable and would accord with Local Plan Policies S1 and E1.

## Appearance

- 5.4 The proposal provides five dwellings to be constructed in brick with a variety of the pantile or slate pitched roofs, which is considered to be reflective of the palette of materials within the immediate context. The elevation design has been amended during the course of the application to provide better proportioned openings, features such as entrance canopies or bay windows to provide some relief/interest to the facades and to avoid overly repetitive appearance across the scheme. The use of three house types across a scheme of five dwellings is also considered to achieve this design aesthetic and is welcomed. On the basis of the above the application is considered to provide a satisfactory appearance in accordance with Local Plan Policies S1 and E1.

## Landscaping

- 5.5 The proposed landscaping is illustrated on the site layout drawing that illustrates the existing hedgerows and trees along the frontage to Carlton Road are to be retained. Furthermore, the existing hedge on the western boundary will be retained whilst a new hedge is proposed along the eastern edge of the application site. On this basis the proposal is considered to provide a satisfactory landscaping proposal in accordance with Local Development Framework Policies E1 and E7.

## Drainage

- 5.6 The applicant has now provided amended drainage details. These details illustrate foul connection to the existing public foul sewer located in the highway and surface water will be attenuated on site and drain to the existing field ditch along the western boundary of the application site. The ditch drains into the existing culverted surface water system on the south side of the highway. This system then traverses under the highway to the north side to connect to Dow Dyke Stell, the same drainage arrangement approved for the recent development of 7 affordable homes at 9 to 16 Mowbray Houses. Although the proposals are controlled by condition on the outline approval and are not to be formally determined at this stage the drainage proposals follow the drainage hierarchy and can be supported.

## Highways

- 5.7 The outline approval conditioned the submission of the technical access details, these are for later approval and not formally determined at this stage. However, NYCC Highways are satisfied with the proposed site layout (subject to a minor change to turning arrangements) and therefore from a highways perspective the proposal is considered to be acceptable.

## Planning balance

- 5.8 The proposed development complies with the relevant Local Plan policy in terms of layout, design, appearance and amenity and national policy requirements.

## 6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered (03) 02 PO4 received by Hambleton District Council on 21.7.2021 and drawing nos. (03) 10 P02, (03) 11P01, (03) 12P03, (03)13 P02, (03) 14P01, (03) 31 PO2, (03) 33 PO2 and (03) 35 PO2 received by Hambleton District Council on 21.7.2021 unless otherwise approved in writing by the Local Planning Authority.
3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples 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 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 in writing by the Local Planning Authority. 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.
5. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be the subject of any form of tree surgery other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any works to a tree shall be carried out in accordance with British Standard 3998 (Tree Work). If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
6. The development shall not be commenced until the protective fencing around the existing trees and hedgerows has been erected in accordance with details approved by the Local Planning Authority. Erection of protective fencing is required before commencement in order to ensure adequate protection of trees at all stages of the development process, including site clearance.
7. Prior to development commencing details of the existing ground and floor levels of site and neighbouring buildings and the proposed ground and finished floor levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The levels shall relate to an identified fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

8. Notwithstanding the requirements of the Town and Country Planning (General Permitted Development) Order or any replacement Order, no extension to the dwellings hereby approved or ancillary building shall be constructed, without the benefit of a separate grant of Planning Permission.

Reasons:-

1. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990.
2. 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 Local Plan Policy(ies) S1 and E1.
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 Local Plan Policy(ies) S1 and E1.
4. In order to soften the visual appearance of the development and provide any appropriate screening in accordance with the Development Plan Policy(ies) Local Plan Policy(ies) S1, E1 and E7.
5. The trees are of important local amenity value and protection of the trees is appropriate in accordance with Local Plan Policy(ies) S1, E1 and E7.
6. To ensure that existing trees within the site, which are of amenity value, are adequately protected during the period of construction in accordance with Local Plan Policy(ies) S1, E1 and E7.
7. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies S1 and E2.
8. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Development Framework Policies S1, E1 and E2.