

**Parish: West Tanfield**  
Ward: Tanfield

Committee date: 7 April 2022  
Officer dealing: Mr A Cotton  
Target date: 4 March 2022

**12**

**22/00035/REM**

**Application for approval of reserved matters (appearance, landscaping, layout and scale) for approved application 20/02791/OUT for the construction of 5No. dwellings**

**At: Land On Thornfield Road, Thornfield Road, Nosterfield, North Yorkshire**

**For: Mulgrave Developments Ltd**

**This application is referred to Planning Committee as the proposal due to a member call in**

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

- 1.1 The application site is located at the north-western edge of Nosterfield on the northern side of the B6267, close to the Thornborough Henges scheduled monument complex. The site is broadly triangular in shape and approximately 0.9 hectares in size. The site currently forms agricultural land used for grazing.
- 1.2 The main part of the village is located to the south of the B6267 with the main part of the village street running in a north south direction; the buildings in the northern part of the village front onto a triangular green. The built form of the village is reflective of its historic form. The only real anomaly to this is the more modern council housing located at the eastern edge of the village, fronting onto the southern side of the B6267, directly opposite the application site.
- 1.3 Following the grant of permission for outline consent considering scale and access for the construction of five detached dwellings, this application seeks approval for reserved matters including:
  - (a) the siting, design and external appearance of the building, including a schedule of external materials to be used;
  - (b) the landscaping of the site (including tree survey, method statement and tree protection measures); and
  - (c) the layout of the proposed buildings and spaces including parking and any external storage areas.
- 1.4 The proposed dwellings are arranged in a crescent form, roughly perpendicular to the B6267, with an indicative area of open space to the west.
- 1.5 A significant amount of new tree planting is shown on the proposed site layout plan to the eastern boundary of the site.
- 1.6 The application has been amended throughout its lifetime resulting in a slightly amended layout and changes to the mix of dwelling sizes to incorporate some smaller family units.

1.7 The proposal now includes 1x 2 bed unit, 3x 3 bed units and 1x 4 bed unit. The site entrance remains as approved under the outline consent.

## **2.0 Relevant planning history**

2.1 07/03451/FUL - Construction of a workshop and creation of a new vehicular access – Withdrawn December 2007

2.2 20/02791/OUT - Outline application (some matters reserved) for the construction of 5 No detached dwellings – Approved February 2021

2.3 20/02791/DCN - Discharge of conditions attached to Planning Consent  
20/02791/OUT-Outline application (some matters reserved) for the construction of 5 No detached dwellings - Pending determination

## **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 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 relevant policies are:

- S1 – Sustainable development principles
- S2 – Strategic priorities and urban requirements
- S3 – Spatial distribution
- S5 – Development in the countryside
- HG2 - Delivering the right type of homes
- E1 - Design
- E2 - Amenity
- E3 - The natural environment
- IC2 – Transport and accessibility

Supplementary Planning Document - Size, type and tenure of new homes – adopted September 2015

## **4.0 Consultations**

4.1 Parish Council – No comments received.

4.2 NYCC Highways Authority – No objection subject to conditions.

4.4 Yorkshire Water – No objection.

4.5 MOD – No safeguarding objections.

4.6 Public comments – two letters have been received objecting to the proposal and raising the following comments:

- Loss of light
- Materials

- Capacity of sewage system and request S106 monies for sewage upgrade works
- Highways safety concerns
- Loss of amenity due to scale of proposal particularly plot 5.

## 5.0 Analysis

- 5.1 The main issues to consider are: (i) layout, design and visual amenity; (ii) residential amenity and (iii) landscaping

Design and visual amenity

- 5.2 The layout proposed follows the indicative layout plans submitted with the now granted outline consent. The indicative plan at outline does not restrict the layout proposed at reserved matters stage nor does the approval of the outline permission convey acceptance of any of the indicative plans which may have accompanied that proposal. The purpose of indicative plans is to demonstrate that the site is capable of accommodating a development of that scale within the confines of the site. However it is noted that the plan now submitted at reserved matters stage is indicative of that submitted at outline stage.
- 5.3 The proposed layout shown on plan 1238.05 Rev B depicts properties running almost perpendicular to Thornfield Road. Whilst this would be somewhat at odds with properties to the southern side of Thornfield Road who front onto the main road, it does mean that the layout is not turning its back to the smaller residential road, Flask Lane, to the north. Given the robust tree planting proposed in the eastern section of the site, which would provide some screening when approaching the village from the east, and the open space provided to the western portion of the site, on balance the layout is considered acceptable in this instance.
- 5.4 The proposal comprises five dwellings which would all be two-storey in height, due to slight variations in design the proposed ridge heights would vary with plots 1, 3 and 5 being lower than plots 2 and 4. The proposal includes a mix of property sizes which range from 2 to 4 bedrooms. Overall, the scale of the dwellings proposed is considered acceptable and whilst comprising large floor plates, offers a range of dwelling sizes in line with the thrust of policy HG2 and the size type and tenure SPD.
- 5.5 In terms of the design and materials of the proposed dwellings the applicant has indicated a material palette consisting of stone, brick, pantile, slate and a mix of stone, wood and metal boundary enclosures. The proposed properties would be constructed in stone with slate roof covering, the detached garages to the rear would be brick and double roll pantile to distinguish them from the main properties and would help break up the amount of stonework on the site. Considering the materials palette of the village and the location of the site the proposed materials palette is considered to be acceptable. The materials will be secured through discharge of conditions application 20/02791/DCN which is currently pending determination and sits against the outline planning permission.

- 5.6 In terms of general visual amenity the proposed layout, scale and appearance of dwellings are considered to be, on balance, acceptable. The proposal accords with policy E1 of the Hambleton Local Plan.

#### Residential amenity

- 5.7 Policy E2 of the Hambleton Local Plan seeks to protect the amenity of existing occupiers and provide adequate amenity space and privacy for future occupiers of developments.
- 5.8 The proposed dwellings would have ample front gardens and relatively large rear gardens which would back onto the access road with a landscaped area with robust tree planting beyond. The arrangement of the site means the proposed dwellings sit roughly at 90 degrees to the existing properties on flask lane and Thornfield Road. Plot 1 would maintain a distance in excess of 30m between its side elevation and the main front elevation of numbers 6 & 8 Thornfield Road. Plot 5 would result in a separation distance of in excess of 16m between its side elevation and the main front elevation of the bungalow property Cumbrae. Considering the aforementioned layout and separation distances, in terms of neighbouring dwellings both to the north on Flask Lane and the south of Thornfield Lane, plots 1 and 5 would maintain an adequate distance so as not to have detrimental impacts upon the amenity of existing residents. It is considered that the layout shown on the amended plans successfully provides adequate amenity for future occupiers without causing detrimental harm to the amenity and privacy of existing residents.
- 5.9 It is considered the plans show a layout and design which is acceptable in amenity terms and would accord with the requirements of policy E2 of the Hambleton Local Plan.

#### Landscaping

- 5.10 Policy E3 of the Hambleton Local Plan seeks to ensure proposals demonstrate delivery of biodiversity net gain. Policy E1 (b) seeks to ensure the use of appropriate landscaping and tree planting within schemes.
- 5.11 A sites biodiversity value can be increased through the implementation of a robust landscaping scheme when comprising a good mix of native planting and native trees. The applicant has submitted a landscaping scheme under discharge of conditions application 20/02791/DCN which is pending determination. However, the landscaping scheme is to some extent dependent on approval of the layout through this, reserved matters application.
- 5.12 The proposed landscaping shown on the site layout plan includes significant tree planting within the eastern portion of the site which acts as a visual buffer between the development and the open countryside beyond. Tree planting is included to the front of the site within the area annotated as open space as well as an annotation to note that the existing hedgerows will be retained and enhanced through additional native tree and hedgerow planting. The full details of the landscaping plan can be assessed through the appropriate discharge of conditons process under 20/02791/DCN following determination of this application, which if approved will set the layout. However, it is considered that from the details shown on the proposed

site plan there are sufficient to determine that the scheme can be developed with the implementation of a robust landscaping scheme, to ensure that biodiversity at the site is improved.

- 5.13 It should also be noted that a tree survey and tree plan plotting location of trees on site has been submitted with the proposal which identifies all trees and hedgerows to be retained, with the exception of those identified as dead. The tree report also contained protection measures for trees and hedgerow to be retained which can be secured by condition.
- 5.14 The proposal is considered to comply with policy E3 and E1(b) of the Hambleton Local Plan.

#### Other matters

- 5.15 Within the public representations received a concern raised relates to the capacity of the local sewage network and request that any approval secures funds through a section 106 agreement to provide for upgrades to the sewage network. Yorkshire Water have been consulted on this application and the now approved outline application, where they have raised no objection nor concerns regarding the ability of the local sewage network to cope with this development.

#### Planning balance

- 5.16 Whilst the layout proposed is not a feature found within the current built form of the village and does not front onto the main thoroughfare (Thornfield Road), it does respond to the constraints of the site and allows for the provision of 5 dwellings of a range of sizes. The design and scale of the proposed dwellings are considered acceptable and does not harm existing residents' amenity or privacy whilst affording future occupiers' adequate amenity and privacy. The landscape scheme indicated on the proposed site layout appears robust and would, through its significant use of native species enhance the site's biodiversity. On balance it is considered that the proposal is acceptable.

## 6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

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 location plan refs:

1238.05 B Proposed site layout

1238.06 A Proposed streetscene

1238.15 Double garage - proposed plans and elevations

1238.16 A Quad garage - proposed plans and elevations

1238.17 Enclosure 01

1238.18 Enclosure 02

1238.19 Enclosure 03

1238.20 Plot 1 proposed plans  
1238.21 Plot 1 proposed elevations  
1238.22 Plot 2 proposed plans  
1238.23 Plot 2 proposed elevations  
1238.24 Plot 3 proposed plans  
1238.25 Plot 3 proposed elevations  
1238.26 Plot 4 proposed plans  
1238.27 Plot 4 proposed elevations  
1238.28 Plot 5 proposed plans  
1238.29 Plot 5 proposed elevations

as received by the Local Planning Authority on 22 March 2022 unless otherwise approved in writing by the Local Planning Authority.

3. 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 or proposed 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.
4. The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number A1 and the following requirements.
  - The final surfacing of any private access must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
  - A paved crossing point must be provided linking the site with the existing footway on the southern side of the B6267 Thornfield road.

All works must accord with the approved details.

5. There must be no access or egress by any vehicles between the highway and the application site until splays are provided as per drawing number 1238.05 Rev0 giving clear visibility of 120 metres measured along both channel lines of the major road from a point measured 2.40 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
6. No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
  1. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
  2. the parking of contractors' site operatives and visitor's vehicles;

3. areas for storage of plant and materials used in constructing the development clear of the highway;
  4. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
7. No demolition or development shall take place until Tree/hedge protection measures have been established in accordance with details shown in the Tree Survey carried out by Rosetta Landscape design and drawing 3830/1.

Reasons:

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. 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 Hambleton Local Plan.
3. In the interests of highway safety.
4. To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety
5. In the interests of highway safety.
6. In the interest of public, highway safety and amenity.
7. To provide adequate safeguards for the protection of hedges and trees on site to be retained.