

Parish: Stillington
Ward: Huby
12

Committee date: 31 May 2018
Officer dealing: Miss Charlotte Cornforth
Target date: 4 June 2018

18/00490/OUT

Outline application (all matters reserved) for the construction of four detached dwellings (self-build plots)

**At: Land west of Owlwood House, West Lane, Stillington
For Mr J Sparrow & Ms J Robinson**

This application is referred to Planning Committee as the application is a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located on the north western fringe of the Service Village of Stillington. The village is located approximately six kilometres to the south-east of the Market Town of Easingwold. The application site is located outside the Stillington Conservation Area boundary, which begins approximately 45m to the east, just before a village pond.
- 1.2 The application site extends to approximately 0.29 hectares (0.71 acres) and is bound by the recently constructed detached dwelling known as Owlwood House (12/01352/FUL), farm buildings to the west and open countryside to the north and south.
- 1.3 The application site is currently used as arable farmland. The site is enclosed by a hedgerows and timber fencing along the south, west and eastern boundaries. The site fronts onto West Lane and is currently served by a gated access. Site levels fall gently from south to north.
- 1.4 The proposal seeks outline consent for four detached dwellings. It is stated that these dwellings would be self-build plots. All matters, i.e. access, appearance, landscaping, layout and scale, are reserved for a subsequent approval.
- 1.5 An illustrative site layout plan has been submitted and the agent has stated that the key design principles that the development seeks to adopt are:
- A mix of housing (including two bungalows);
 - Direct vehicular access onto West Lane;
 - Spacious gardens;
 - Dedicated storage for waste and recycling;
 - In-curtilage car parking and cycling;
 - Adequate separation from neighbouring properties; and
 - Existing landscape features retained.
- 1.6 The agent has stated that planning permission was granted for a scheme of five self-build plots at Mill Lane on the eastern edge of Stillington under the Interim Policy Guidance (17/01102/OUT). The agent has further stated that the nature of this proposal and the physical characteristics of the site at Mill Lane are extremely similar.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

Land to the west of Owlwood House

- 2.1 17/00606/OUT - Outline application (all matters reserved) for the construction of a detached dwelling; Withdrawn 18 July 2017.

Mill Lane, land to the west of Home Farm

- 2.2 As noted above, a scheme of up to five dwellings was granted outline permission on a site on the eastern fringe of the village. The application, 17/01102/OUT, was approved on 3 January 2018. The application was approved subject to the completion of a S106 agreement to require the five dwellings to be self-build units. No reserved matters or other applications have been made for the development of the land since the approval on 3 January 2018.

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 CP21 - Safe response to natural and other forces
Development Policy DP1 - Protecting amenity
Development Policy DP3 - Site accessibility
Development Policy DP4 - Access for all
Development Policy DP8 - Development Limits
Development Policy DP9 - Development outside Development Limits
Development Policy DP10 - Form and character of settlements
Development Policy DP30 - Protecting the character and appearance of the countryside
Development Policy DP32 - General design
Development Policy DP33 - Landscaping
Development Policy DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
Size, Type and Tenure of New Homes SPD - adopted September 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Parish Council – Wishes to see the application granted.
- 4.2 Highway Authority – No objection subject to conditions regarding the private access/verge crossings, details of access, turning and parking, precautions to prevent mud on the highway and on-site parking, on-site storage and construction traffic during development.
- 4.3 Environmental Health Officer – The proposal will have no significant impact on the local amenity. The applicant has not identified any potential sources of contamination; however given the agricultural land use and scale of the development a Phase 1 Preliminary Risk Assessment should be submitted. Ideally this information should be submitted prior to determination, however it can be secured by condition in order to secure the investigation and, where necessary, remediation of any contamination on the site.
- 4.4 Yorkshire Water – No response to date.
- 4.5 RAF Linton on Ouse – No safeguarding objection.

- 4.6 National England – No comments.
- 4.7 Yorkshire Wildlife Trust - No response to date.
- 4.8 Internal Drainage Board (Foss) - The site is in an area where drainage problems could exist and development should not be allowed until the Authority is satisfied that surface water drainage has been satisfactorily provided for. Any approved development should not adversely affect the surface water drainage of the area and amenity of adjacent properties.

The application appears to enlarge the impermeable area on site and has the potential to increase the rate of surface water run-off from the site if this is not effectively constrained. The Board welcomes sustainable approaches to surface water disposal (SUDS) which retain the surface water on-site.

No details have been provided regarding the nature and type of SUDS to be used. The Board has no objection to the principle of development, but recommends a condition regarding drainage works to be agreed, details of the soakaway and the SUDs combined systems.

- 4.9 Public comments – One letter of objection has been received, stating that that the houses would be built on agricultural land others will want to do the same. The proposal will cause loss of privacy and views.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development; (ii) the impact upon the character of the surrounding area, including the character and appearance of the village (iii) heritage assets; (iv) residential amenity; (v) highway safety; and (vi) drainage issues

Principle

- 5.2 The site falls outside the Development Limits of Stillington. 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).
- 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 bridges the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG includes 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 settlement hierarchy contained within the IPG, Stillington is defined as a Service Village and therefore is considered a sustainable location for development; satisfying criterion one of the IPG that proposed development must provide support to local services including services in a village.
- 5.6 The applicant indicates that the proposed dwellings would be self-build plots. The Supplementary Planning Document regarding Size, Type and Tenure of New Homes (2015) identifies that the Council wishes to improve the new housing offer by enabling the provision of self-build plots. National planning policy is also supportive of self-build plots to encourage people to build their own homes.
- 5.7 Five self-build plots have been granted planning permission on the eastern edge of the village. The current self-build register has three people on it for plots in Stillington and 27 for the wider hinterland area of Easingwold. Currently, the self-build demand in the village is met by the existing site in Stillington that has been granted planning permission. A recent Inspector's decision (dated 12 March 2018) regarding a site on Stokesley Road, Hutton Rudby (APP/G2713/W/17/3190872) considered the issue of the self-build sites and states:

"I understand Rudby Lea opposite the appeal site was developed by a local builder and that this local development would represent an economic opportunity for local builders and provide self-build opportunities for the identified demand from people registered with the Council as seeking self-build in the area. This would satisfy the government aims of increasing self-build. The development could result in a variety of design, as well as creating better opportunities for local builders to construct them. Although there appears to be a shortage of self-build sites, there is no identified shortage of supply of deliverable housing sites within the district.

Conclusion

18. I have not found harm to the living conditions of future occupiers of the development, but I have found harm to character and appearance and conflict thereby with the development plan and the IPG. The identified harm in relation to character and appearance far outweighs any benefits of the scheme or the lack of harm in relation to my other main issue. There are no other matters that would outweigh the harm identified."

- 5.8 In Stillington and the wider hinterland area of Easingwold, there is not a shortage of self-build plots or shortages of other deliverable housing sites. It is therefore considered that the self-build argument holds little weight in this instance.
- 5.9 The Council has a supply of land for housing that meets the housing requirements for a period in excess of eight years. This is a substantial buffer beyond the five year housing land requirement set out within paragraph 47 of the NPPF. Little weight can therefore be given to the benefit of providing additional housing land in this case.

The character of the surrounding area and the character and appearance of the village

- 5.10 With regard to criterion two of the IPG, development must be small in scale and reflect the existing built form and character of the village. The proposal is for four dwellings and it is considered that in the context of the size of the village of Stillington, four units is small in scale, noting that the IPG refers to small scale development comprises up to five dwellings.
- 5.11 Criterion three of the IPG requires that development must not have a detrimental impact on the natural, built and historic environment. The proposal seeks to extend the built form of the village along a westward trajectory. Historically, Stillington has grown from Main Street out to the back lanes to the north and south and as such extending the village in an alternative manner would not respect the existing built form and character of the village.
- 5.12 Although later developments on West View, Mill Lane Cottages and Parkfield have broken the traditional form, the IPG seeks to achieve small scale, organic growth reflecting the special character of the historic rural village where consideration should be given to the historic evolution and seek to resist ribbon development. The proposal would appear as a ribbon of development extending the village in a manner that does not reflect the traditional form defined by the development around the North and South Back Lanes.
- 5.13 Criterion four states development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements. By extending the built form of the village in a westward trajectory, this results in the encroachment into the countryside. There are farm buildings to the west of site which are sited where one typically expects to find farm buildings, on the edge of a village within the countryside. It is considered that the dwellings would cause harm to the open character and appearance of the surrounding countryside by virtue of their siting.

Heritage assets

- 5.14 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 Stillington Conservation Area. The site is located approximately 35 metres to the west of the Stillington Conservation Area and therefore the setting of the Stillington Conservation Area should be carefully considered.
- 5.15 The application is in outline form with all matters reserved at this stage and the matters for approval at the reserved matters stage would be access, appearance, landscaping, layout and scale. It is considered that the principle of developing this land would not harm the setting of the Stillington Conservation Area. However, careful consideration of access, appearance, landscaping, layout and scale at the reserved matters stage would need to be given to ensure that the proposal pays special regard to the desirability of preserving or enhancing the character or appearance of the Stillington Conservation Area.

Residential amenity

- 5.16 It is considered that the site is capable of accommodating four dwellings without prejudicing residential amenity, particularly that of Owlwood House and Green Dale by being overbearing in presence, and would not cause a loss of light or loss of privacy. With adequate boundary treatments and positioning of windows, the issue of residential amenity could be addressed as part of a reserved matters application.
- 5.17 The site is considered capable of providing adequate private amenity space for the proposed dwellings.

Highway safety

- 5.18 Criterion five of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure. The Highway Authority has raised no objection to the proposal and there is no evidence to suggest that the development would cause harm to highway safety.

Drainage and the surface water sewer

- 5.19 Foul drainage would be disposed of via the mains and surface water via a soakaway or a sustainable urban drainage system, the exact details of which can be agreed by planning condition. There is no evidence to suggest that the demands on the infrastructure of the village arising from the development would be so great that the infrastructure would be unable to cope with the additional development or cause harm to the amenity of the village.

The planning balance

- 5.20 Consideration has been given to the benefits of providing additional homes, self-build plots and the social and economic gains that can be derived from new housing. This is to be weighed against the harm to the environment as set out above. As the Council has a supply of land for housing in excess of eight years, little weight can be given to the benefit of providing additional housing land. Accordingly it is considered that the substantial environmental harm outweighs the benefits.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reasons:
1. The proposed development fails to reflect the existing built form and character of Stillington and as such also fails to accord with the requirements of Interim Policy Guidance Note, Criteria two and the requirements of Development Policies Policy DP10 and DP32. These policies seek to support high quality development which respects the character and form of the settlement.
 2. The proposed development by extending the village into the open countryside is considered to be harmful to both the character and setting of Stillington village and to the character of the open countryside which surrounds the village. As such, the proposal fails to accord with the requirements of the Interim Policy Guidance Note, Criteria two, three and four and the requirements of Development Policies DP30 and DP32.