

**Parish: Hutton Rudby**  
Ward: Hutton Rudby  
**6**

Committee date: 4 April 2019  
Officer dealing: Ms A O'Driscoll  
Target date: 13 February 2019

**18/02675/OUT**

**Outline application with all matters reserved for the construction of up to five dwellings**

**At land adjacent to Belbrough Lane, Hutton Rudby  
For Armstrong Richardson & Co Ltd.**

**This application is referred to Planning Committee at the request of a Member of the Council**

## **1.0 SITE CONTEXT AND PROPOSAL**

- 1.1 The application site is located on the corner of Belbrough Lane and Station Road, adjacent to but beyond the Development Limits of Hutton Rudby. The site is currently undeveloped agricultural land that slopes down from north to south. The site is relatively open with no hedgerow demarking the north boundary and a well-spaced line of trees on the eastern boundary.
- 1.2 To the south of the site is a playing field which is bordered partially by hedgerow and partially by post and rail fencing. The immediate area could be characterised as the edge of the settlement with Station Road providing a clear boundary between development and the open countryside.
- 1.3 This application is for outline permission for a residential development of up to five dwellings with all matters reserved. In this case, therefore, the principle of residential development is considered and all other details relating to access, scale, layout, appearance and landscaping would be considered at reserved matters stage should outline approval be given. However, the submitted red line excludes an area closest to the junction of Belbrough Lane and Station Road and therefore the options for access are limited to a point on Belbrough Lane approximately 120m south west of the junction and a stretch of the Station Road frontage approximately 50m south of the junction and a similar distance from the junction with Linden Crescent.
- 1.4 No amendments have been secured because the proposal is considered unacceptable in principle.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 16/00633/OUT - Outline application for the construction of 56 dwellings, with associated access and landscape areas, with all matters reserved; Withdrawn 4 July 2016.

## **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 CP8 - Type, size and tenure of housing  
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 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 DP13 - Achieving and maintaining the right mix of housing  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP32 - General design  
Hutton Rudby Village Design Statement  
Interim Guidance Note - adopted by Council on 7th April 2015  
National Planning Policy Framework

#### **4.0 CONSULTATIONS**

- 4.1 Rudby Parish Council – Recommends refusal as the proposal does not comply with criteria 3 and 4 of the Interim Policy Guidance in relation to the impact on the natural, built and historic environment and the impact on the open character and appearance of the surrounding countryside.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Environmental Health Officer – Requires additional information or the imposition of conditions requiring the information.
- 4.4 Northumbrian Water – No objection subject to condition
- 4.5 Public Comments – One letter in support of the application was received, One neutral comment was received and 77 letters of objection have been received.

The letter of support indicates that the development would provide the type of housing required in the area as identified as part of the development of the neighbourhood plan.

The letters of objection raise the following issues:

- The application is outside of development limits
- Does not comply with local policy (interim policy guidance)
- The site is not part of the emerging neighbourhood plan
- The proposal undermines the emerging neighbourhood plan
- The view in this location is valued and enjoyed by local residents and visitors
- Detrimental impact on the character of the area
- Local infrastructure already at capacity
- Road safety and parking concerns
- The village is big enough/enough houses approved already
- The gradient of the site makes it unsuitable for development
- Loss of good agricultural land
- No local jobs to support increase in population
- Public transport is inadequate
- This development would be a precursor to further development on adjacent land
- Nearby land prone to flooding
- Impact on local drainage which is already troublesome
- Impact on view from North Yorkshire Moors
- The proximity to the sports grounds would impact the amenity of the future residents of the site.

## 5.0 ANALYSIS

- 5.1 Having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, applying all relevant Development Plan policies, and considering all other policy and guidance (including the NPPF and PPG) and all other material planning considerations, including representations received, it is considered that the main planning considerations raised in relation to the determination of this application are (i) the principle of development; (ii) the impact on the character of the area; (iii) highway safety, access and car parking; (iv) residential amenity; (v) housing tenure and mix; and (vi) land contamination.

### Principle

- 5.2 The site is located outside, but adjacent to, the Development Limits of Hutton Rudby. Policy DP9 states that permission will only be granted for development beyond Development Limits "in exceptional circumstances". The application 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). The National Planning Policy Framework (NPPF) states, in paragraph 78, "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."
- 5.3 To ensure appropriate 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. It states that "small scale housing development will be supported 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
- 5.4 Hutton Rudby is identified within the settlement hierarchy as a Service Village. This status recognises its range of services and facilities and confirms that it is considered a sustainable settlement capable of accommodating small scale development. Considering the site's close relationship with the Development Limits, it can be established that the proposal would meet criterion 1 and the first part of criterion 2 of the IPG, in that it is located where it will support local services and, being for up to five dwellings, would be small in scale.

### Character

- 5.5 The remaining part of criterion 2 and criteria 3 and 4 require that development respects the existing built form and character of the settlement and does not have a detrimental impact on the natural, built and historic environment or the open character of the surrounding countryside. The guidance goes on to say that

development which provides a natural infill or extension to an existing settlement will be considered favourably. As the application is for outline consent with all matters reserved it can only be considered whether development of up to five dwellings would be acceptable in this location.

- 5.6 The main cores of Hutton Rudby dates from the 1850s. The outer limits of the settlement were expanded significantly between the 1950s and 1970s where mainly large scale housing developments were added. To the north of the site is a mixture of historic and more modern linear residential development which is well spaced. To the east of the site is a 1970s housing estate. It appears that the main part of the settlement is separated from the application site by Station Road. From this point on, despite the development to the north of Belbrough Lane, the character is essentially rural with panoramic open space visible from the junction of Belbrough Lane and Station Road.
- 5.7 It is considered that Station Road provides a clear demarcation of the end of the settlement and it could not be said therefore that the proposal would result in a natural infill or extension to the village. In addition, the proposal is sited in an area that is considered to make a significant contribution to the character of the area and the transition from village to countryside. Indeed the Settlement Character Assessment published as a background paper to the emerging Local Plan has identified the site as having a "high visual landscape value, providing a setting to the village and to Drumrauck Hall" (a non-designated heritage asset). Development in this location would result in harm to the character of the settlement and the open character of the surrounding countryside.
- 5.8 It is therefore considered that the proposal does not comply with the second part of criterion 2 or criteria 3 and 4 of the IPG.
- 5.9 As indicated earlier, the site edged red on the location plan does not include a parcel of land at the junction of Belbrough Lane and Station Road; however, an illustrative layout plan indicates that this would be landscaped and serve as public open space. As the land in question is also within the applicant's ownership this could be secured by condition but there is no policy justification for seeking public open space provision for a development as small as this, so only a condition relating to landscaping could be justified.

#### Highway safety, access and car parking

- 5.10 The Highway Authority has raised no formal concerns subject to the imposition of conditions relating to off-site highway improvement works, details of access, turning and parking and construction management details. Many of these issues cannot be considered at this stage as this application relates solely to principle with all matters reserved. It is therefore considered that, in highway terms, the proposal is acceptable, subject to satisfaction of the above conditions and an acceptable reserved matters application.

#### Residential Amenity

- 5.11 As there are no details of the proposed dwellings at this stage this issue can only be considered in broad terms at this stage. However, it is considered that suitable separation distances could be achieved in relation to existing dwellings to avoid unacceptable loss of amenity.

#### Housing tenure and mix

- 5.12 The planning statement indicates that three dwellings would be bungalows and that two would be affordable units. Given the absence of other details and the application

being for “up to five dwellings” it is not certain that these benefits can be secured. However, both would address local housing need, although there is no policy requirement for either in a scheme this small and therefore it is unlikely that planning conditions to secure bungalows or affordable units could be sustained if challenged.

#### Land contamination

- 5.13 The Council’s Environmental Health Officer has indicated that further information is required to fully assess the potential for contamination of the site. However, the likelihood of contamination is considered to be low and this detail could be conditioned if required. Appropriate conditions could be recommended if permission were to be granted.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The proposed development would not reflect the form and character of the area, resulting in harm to the character and appearance of the rural surroundings, contrary to Local Development Policies CP16 and DP30. The proposal is also contrary to criteria 2, 3 and 4 of the Interim Policy Guidance Note as the site does not reflect the existing built form, the character of the village and surrounding countryside.