

Parish: Catton

Ward: Thirsk

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Committee Date: 4 February 2016

Officer dealing: Mrs S Leeming

Target Date: 4 January 2016

15/02519/FUL

**Construction of a dwelling
at 8 Catton Village Street, Catton
for Mr Ashley Dodgson**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application seeks permission to construct a detached dwelling within part of the curtilage of 8 Catton Village Street. The proposal involves the removal of part of the domestic garage/barn in order to provide 2 off-street parking spaces to the front. To the remainder of the street frontage to the south of the red line site is an open green area where there is the village telephone box, village notice board, letter box and a public bench with a hedge behind.
- 1.2 The proposal is to site the detached dwelling behind this green area, retaining part of the hedgerow. The dwelling would be sited further back than its neighbours at 8 and 9 and would sit roughly in line with Meadow View and Windrush further down the street.
- 1.3 The proposed dwelling would be 2 storeys of a traditional appearance with a symmetrical design to its front elevation with a chimney to each end of the roof. It is to be of brickwork with clay pantiles and painted timber windows and an oak porch. Parking would be to the front adjacent to the village green area and domestic garden area would be to the rear.

2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY

- 2.1 15/00720/FUL - Alterations and extensions to existing dwelling including a two storey extension to replace existing barn; Granted 11 June 2015
- 2.2 Concurrent applications 15/01559/OUT (Village Farm) and 15/02079/FUL (The Ruins) also propose housing within the village and some issues regarding the sustainability of Catton are common to all three applications.

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 CP5 - The scale of new housing
Core Strategy Policy CP5A - The scale of new housing by sub-area
Core Strategy Policy CP6 - Distribution of housing
Core Strategy Policy CP7 - Phasing of housing
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 CP20 - Design and the reduction of crime
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity

Development Policies DP2 - Securing developer contributions
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
Development Policies DP9 - Development outside Development Limits
Development Policies DP10 - Form and character of settlements
Development Policies DP11 - Phasing of housing
Development Policies DP13 - Achieving and maintaining the right mix of housing
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Meeting – no response.

4.2 Highway Authority - recommends conditions.

4.3 Neighbours - 9 local residents have submitted comments. 7 of these object to the proposal. Their observations include:

- The site is too narrow so there would be a negative impact on surrounding properties;
- It would result in loss of parking provision for number 8;
- Loss of "ancient/species rich" hedgerow;
- It is contrary to the Interim Policy Guidance as Catton and Topcliffe "do not form a sustainable village"; cumulatively with the other proposed housing in Catton it would not be small scale, "negative impact on the built form" with loss of separation between properties and loss of countryside views. It cannot be viewed in isolation;
- "We are already at, if not past, the stage of needing much improved highways. When totalled, the present planning proposals constitute a significant potential increase to the village hence vastly increased road usage." The roads are narrow and badly maintained;
- The village is characterised by roadside properties but this is more "back fill" housing;
- There is no demand for houses in Catton (one has been for sale for 2 years);
- Catton is a rural hamlet and its unique character would be destroyed; and
- "Catton is 5km from Topcliffe. Road links are poorly maintained and increasingly unused by residents for this reason. There is little contact between the villages and no formal contacts. To regard Catton as a 'cluster village' with Topcliffe is misleading at best. Virtually every journey out of Catton is by car. There are no services in Catton. To allow more residential development is hardly supportive of a sustainable transport policy."

One neighbour states they have no objection and another comments that the submitted plan illustrates their own back garden incorrectly and the proposed dwelling, due to its siting, would only be 3m away from his garden.

4.4 Yorkshire Water - response awaited.

5.0 OBSERVATIONS

5.1 The main issues with this proposal are (a) the principle of the development in the village, including the cumulative impacts; (b) its likely impact on the character of the village; and its likely impact on (c) residential amenity; (d) access, parking and highways; (e) service capacity and (f) flooding.

Principle

- 5.2 Catton is a small village consisting of around 35 dwellings. It has no shops or services and the village is not served by public transport. There are also no designated footpaths into and out of the village. It has no development limits and is therefore classed as being situated in the open countryside for planning purposes.
- 5.3 Policy CP4 of the Core Strategy sets out specific criteria for development in such locations, which generally precludes new residential development unless one of 6 specific exceptions is considered to apply. These are:
- i. It is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy; or
 - ii. It is necessary to secure a significant improvement to the environment or the conservation of a feature of acknowledged importance; or
 - iii. It would provide affordable housing or community facilities which meet a local need, where that need cannot be met in a settlement within the hierarchy; or
 - iv. It would re-use existing buildings without substantial alteration or reconstruction, and would help to support a sustainable rural economy or help to meet a locally identified need for affordable housing; or
 - v. It would make provision for renewable energy generation, of a scale and design appropriate to its location; or
 - vi. It would support the social and economic regeneration of rural areas.

None of these exceptions is claimed by the applicant and therefore, if the application were determined in accordance with the development plan it would be found unacceptable.

- 5.4 However, following the publication of the National planning Policy Framework (NPPF) in 2012, the Council has adopted Interim Policy Guidance (IPG) to allow for limited growth in smaller settlements through consistent decision making. The IPG allows for a limited amount of new residential development in or abutting existing villages in the countryside, provided certain criteria are met. A revised Settlement Hierarchy now includes Catton within the sub category of "Other Settlements". The IPG states "Small scale housing development (i.e. normally up to 5 houses) will be supported in villages where it contributes towards achieving sustainable development by supporting the functions of the local community AND where it meets ALL of the following criteria:
- i. Development should support local services including villages nearby;
 - ii. Development must be small scale, reflecting the existing built form of the settlement;
 - iii. Development must not have a detrimental impact upon the natural, built and historic environment;
 - iv. Development should have no detrimental impact upon the open character and appearance of the surrounding countryside or lead to the coalescence of settlements;
 - v. Development must be capable of being accommodated within the capacity of existing and planned infrastructure; and,
 - vi. Development must conform with all other relevant LDF policies."
- 5.5 The IPG allows for development in Other Settlements by reference to the concept of Cluster Villages:

"Cluster Villages should be comprised of nearby settlements, one of which may be a Service or Secondary Village, given the wider level of services available. If Other

Settlements are to form a cluster, these must have a good collective level of shared service provision. Settlements should be linked to each other by convenient public transport, walking or cycling, where the combined settlements offer a range of services contributing to a sustainable community. This could include the sharing of facilities such as a school, post office, health facility or village shop. However it is unlikely to constitute a sustainable community if there are very few services or if there are significant distances (approximately 2km) or barriers between settlements (e.g. rivers with no crossing)".

- 5.6 It is considered in terms of the requirements of criteria ii to vi above the application is for an appropriately scaled dwelling of similar height and proportions to others nearby. There are no listed buildings, conservation areas or scheduled ancient monuments in the vicinity. The site is located well within the contextual bounds of Catton and forms part of the built up area as opposed to the countryside. Furthermore, whilst confirmation is yet to be received from Yorkshire Water, there is also no reason to suspect that the existing infrastructure on Catton could not cope with the additional loads arising from a single new dwelling. Whilst there have been concerns expressed about the cumulative impact of several new houses upon the highway network, no objections have been raised by the Highway Authority.
- 5.7 A number of local residents have noted that the cumulative impact of all the residential development proposed within Catton must be taken into account and considered as part of this proposal. The assessment above takes account of the requirement of IPG criterion ii that "Development must be small scale, reflecting the existing built form of the settlement". In considering this it is appropriate to consider permissions that have been granted and still capable of being implemented (i.e. the conversion of barns at Catton Farm to form 6 dwellings under permission 13/02323/FUL) and the concurrent applications listed in paragraph 2.2. Bearing in mind that the Catton Farm scheme re-uses existing buildings and the Village Farm proposal would replace large buildings with smaller ones, it is not considered that the cumulative growth would be harmful to the character of the village.
- 5.8 The principle issue to be determined relates to criterion i (above), which only allows new development outside Development Limits (and thus anywhere in Catton) if it supports local services and can be considered to be part of a wider understanding of limited, sustainable development. In this respect the IPG brings forward the concept of 'Cluster Villages', where two or more settlements enjoy a collective level of shared service provision contributing to a sustainable community and are linked by convenient public transport, walking or cycling. Integral to this are (a) the ease and sustainability of travel between settlements and (b) the collective availability of services and facilitates within them.
- 5.9 The IPG's definition of Cluster Villages, quoted in paragraph 5.5 above, indicates that Catton could form a sustainable cluster with a sufficiently close Service Village or Secondary Village or with smaller villages if they share sufficient facilities and services. In each case, this is subject to there not being significant distances (the IPG defines this as "approximately 2km") or barriers (in this case, the river) between settlements.
- 5.10 The only settlement within approximately 2km is Skipton on Swale. However, it and Catton do not have sufficient facilities and services to form a sustainable cluster. The closest village with sufficient services and facilities to support a sustainable community is Topcliffe, a Service Village in the Settlement Hierarchy. It is only realistically accessible from Catton by unlit single-track roads, including stretches that are at times prone to flooding. Whilst Topcliffe has a local shop, 2 pubs, a primary school, surgery and church, there are no cycle paths, footpaths or bus routes linking

the two villages. Crucially, the distance between the two by road is approximately 4.5km, more than double the maximum acceptable separation allowed for in the IPG.

- 5.11 For this reason Catton is not considered capable of forming a sustainable community within the meaning of the IPG and the proposal is not supported by it. The proposal therefore falls to be considered under Policy CP4 and as noted in paragraph 5.3, the proposal does not benefit from any of that policy's exemptions to the strict control of new housing outside Development Limits. The principle of development is therefore contrary to the Development Plan, is not supported by the IPG, and is therefore considered to be unacceptable.

Character

- 5.12 Catton is largely made up of largely detached houses and bungalows of mixed styles, with some semi-detached, built across the 18th, 19th and 20th centuries. The village is primarily a linear settlement, but there are examples of both newer and older buildings and houses punctuating land behind the houses fronting the main street through Catton with the dwellings at Meadow View and Windrush being set back a similar distance to this now proposed. Where this site differs however is that it has the village's telephone box, post box and notice board located on a small green area to the front. This therefore is considered an important "open" space within the village. The green area is not directly threatened by the development because it is outside the application site but it is considered that its use by the general public would be compromised due to its proximity to the main front elevation of the proposed dwelling.
- 5.13 The proposed dwelling is considered to be of a traditional design and materials appropriate to the location. There is some concern about the general layout of the site as it proposes car parking to the front of the dwelling, which is not something that occurs commonly elsewhere within the village, and as such is considered to be out of character with the area and harmful to the street scene.

Residential amenity

- 5.14 In terms of impact upon the amenities of the neighbours, it is noted that the dwelling is to be sited approximately 2m away from the boundary with number 9 and the proposed dwelling will extend the full length of the rear garden of number 9. It will be sited to the west of this garden and at approximately 7m high and with solid brickwork within its eastern elevation broken up only by a staircase window, it is considered that the proposed dwelling will be likely to have an overbearing and overshadowing impact upon number 9 which would be detrimental to the amenities of the neighbours, contrary to Policy DP1.
- 5.15 To the other side at number 8 a recent planning permission has been granted (see history above) for the construction of a 2 storey extension to the side. This has yet to be implemented but has been indicated upon the block plan for this proposal. This would be constructed within approximately 3m of the western elevation of the proposed dwelling. The proposed dwelling has a number of windows within its western elevation which serve the living room and kitchen at ground floor and a bedroom and study at first floor. The approved extension at number 8 has within its western elevation a ground floor kitchen and a first floor bathroom window. As such, there would only be minimal opportunity for mutual overlooking between these 2 properties.

Access, parking and highways

- 5.16 It is of concern that, following the construction of the proposed dwelling, number 8 would be left with no off street parking provision. Whilst there is no objection from the

Highway Authority it is considered that the location of the site close to the junction in the village, vehicles parked on the highway may cause obstruction and a loss in visibility to other highway users and with it a loss of highway safety. In the absence of shared concern and objection from the Local Highway Authority it is concluded that the concern should not amount to reason for refusal.

Service capacity

- 5.17 Catton is served by all utilities but is not on the gas network. Yorkshire Water has been contacted about the proposal but is yet to respond. Notwithstanding, there would not appear to be any material reasons to suggest that the local utilities networks would not have the capacity to cater for the proposed new dwelling

Flooding

- 5.18 The land is located within approximately 100m of the River Swale to the West. However, the site here is raised to a point that it is entirely situated within Flood Zone 1, and is therefore not liable to suffer from flooding.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reasons:
1. The proposed new dwelling would be located in a village that is identified as an 'Other Settlement' in the revised Settlement Hierarchy for Hambleton. The Council's Interim Policy Guidance, adopted April 2015, sets out 6 criteria to be met in order for new development to be considered to be acceptable, in order to achieve a sustainable community. In this case, given the lack of facilities and services offered in Catton and Skipton on Swale, the only close settlement, and the excessive distance to the nearest Service Village at Topcliffe, it is considered that Catton cannot form part of a sustainable cluster as required by the Council's Interim Policy Guidance. The proposal also fail to meet any of the exceptional circumstances set out in Policy CP4 of the Core Strategy, that would justify development outside Development Limits, and would therefore also be contrary to policies CP2, CP3, CP4 and DP9 of the Hambleton District Council Core Strategy (2007) and Development Policies DPD (2008) and the Council's Interim Planning Guidance (2015).
 2. The proposed development would by reason of its proximity to the garden of the neighbouring property cause an unacceptable harm to the amenities of the neighbours through overbearing and overshadowing, contrary to Hambleton District Council LDF Core Strategy (2007) and Development Policies DPD (2008) Policies CP1 and DP1.
 3. The proposed development would have a harmful impact upon the setting and character of the village due to it compromising the use of the public "green" area and the layout of the site with roadside frontage parking.