

Parish: Whorlton
Ward: Osmotherley & Swainby
18

Committee Date : 26 May 2016
Officer dealing : Mrs B Robinson
Target Date: 3 May 2016

16/00444/OUT

**Outline application for planning permission with some matters reserved (access) to construct a single dwellinghouse.
at The Paddocks Swainby North Yorkshire DL6 3AU
for Mr John Swales.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is a plot with dimensions of 55 x 20 metres, located on the north side of the A172. The site lies to the rear of a commercial building, with blockwork lower walls and timber upper parts. The site is set down from the road, with a short sloping access, which is partly shared with the adjacent field entrance and has been recently widened and concreted. There is a footpath along the road frontage. The site is hedged on the east, north and west sides, and abuts open countryside to the north and west sides.
- 1.2 The existing building on the site is in use for self-storage and the permitted use on the site includes storage of builder's materials at the rear of the building.
- 1.3 The proposed site lies partly in the area previously shown as turning for the builder's storage area, and partly in an otherwise neutral use where topsoil has previously been mounded.
- 1.4 Eastwards from the site there is a further agricultural style building immediately adjacent, and a group of smaller sheds beyond. Further eastwards there is a thin scatter of houses along Gold Hill Loop road, which extends northwards from the crossroads of the A172 with Swainby village road.
- 1.5 The site and other nearby development lies opposite the village of Swainby, which is within the boundaries of the North York Moors National Park. Swainby has facilities including primary school, shop and pubs. The centre of the village is approximately 400 metres from the site.
- 1.6 The proposal is outline consent for a single dwelling, with access to be considered. Indicative details are included showing a dormer bungalow, and detached garage.

2.0 RELEVANT PLANNING HISTORY

- 2.1 04/01297/FUL Change of use of existing agricultural building to a builders store and workshop. Granted 09.09.2004
- 2.1 07/01383/FUL Construction of a storage building. Granted 09.07.2007
- 2.3 13/02269/FUL - Change of use of buildings and land from general storage for building company to a mixed use of workshop/storage for plant hire and general storage for building company, and alterations to existing access. Granted 09.05.2014
- 2.4 15/01072/FUL - Change of use of part of the site to self-storage facility, remainder of site to remain as general storage for building company. Granted 22.07.2015

3.0 RELEVANT PLANNING POLICIES:

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

4.0 CONSULTATIONS

4.1 Whorlton Parish Council - Parish Council support this application.

4.2 Neighbours and site notice - Observations received

Object

- Outside development limits
- Danger crossing road and pressure for crossing.
- Drainage to a ditch.
- Not contiguous with Swainby.
- Previous complaints about neighbouring business, and concerns about future intentions.

Support

- Support - excellent use of land and much needed housing.
- Will support services in the village including shop school and pubs. Existing families on the Gold Hill Loop road.

4.3 NYCC Highways - conditions requested.

4.4 Northumbrian Water - no comments to make.

5.0 OBSERVATIONS

5.1 The site is outside development limits of any settlement and thus would be contrary to the principles of sustainable development (CP1 and CP2) and the issues to consider are whether the proposal can be considered as an exception to CP1 and CP2 under CP4. If not, it can be considered whether the proposal would be acceptable under the Interim Policy Guidance adopted by the Council in 2015 and which updates the settlement hierarchy and provides for a more flexible consideration of new development at the edge of settlements, and other relevant policies of the Local Plan including design (CP17 and DP32), amenity of neighbours (CP1 and DP1) together with any issues of highway safety.

5.2 CP4 provides for exceptions where necessary to meet the needs of an enterprise with an essential need to locate in the countryside. The supporting statement points out that the applicant is the owner of the existing businesses and there would be benefits for security and sustainability to locate on the site. However, the business does not have an essential need to locate in the countryside and it has not been demonstrated that the house is necessary to the running of the business to an extent that would justify a dwelling in this otherwise unacceptable location.

5.3 The proposal is not for affordable housing or necessary to secure environmental improvement and would not meet any of the other criteria of CP4, and is not an acceptable exception to the policies of CP1 and CP2.

5.4 The Interim Policy Guidance 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."
- 5.5 While Swainby is located in the North York Moors National Park and thus is not within Hambleton's settlement hierarchy, it offers a range of services, including pubs, a shop and a primary school. The site is approximately 450 metres by road from the centre of the village, and is considered to support village services.
- 5.6 The development is a single dwelling and therefore small in scale. The location is detached from the main part of the village, and is separated by an A road without a dedicated crossing, and is not contiguous with the village. The road forms a visual and practical limit to the extent of the village in this direction, particularly taking into account that the road would also be hazardous to cross in order to access the services in the village.
Therefore, as this site is separated by the A172 from the main part of the village, the location is not considered to reflect the form and character of the village.
The supporting information submitted with the application points out that there are other family houses on the Gold Hill Loop which make use of village services, but for the reasons given, the location is not considered to fulfil the requirements of the Interim Guidance.
- 5.7 The site is in commercial use and the development would not be detrimental to the natural environment and there is no significant historic or other built interests that would be harmed by the development.
- 5.8 The site is in rural surroundings and would be viewed in the context of the agricultural style shed on the site, which is in commercial use. The dwelling is potentially relatively low in height but as a minimum, the dormer style roof would result in the dwelling being apparent above the boundary hedges. The house is likely to be lower than the existing shed and would not be dominant. However, it would be out of character with the existing nearby sheds and would be an anomalous feature in the rural surroundings.
- 5.9 There is no evidence that a single extra dwelling cannot be accommodated within the capacity of the existing infrastructure.
- 5.10 There is scope to believe that if the dwelling were otherwise acceptable, a satisfactory design reflecting the traditions of the area as set out in CP17 and DP32 could be arrived at.
- 5.11 The proposed house is well separated from other nearby dwellings and would not harm their amenities. The house would be very close to the nearby commercial building but the self-store use is compatible with the amenities of residents of the new house. The proximity to a builder's materials store, which is open air and not limited in hours of use could be the cause of disturbance to residents of the new house. The supporting statement suggests the dwelling would be occupied by the owner of the builders storage yard, but in the absence of a business-based requirement for the dwelling on the site, a condition on this basis would not be justified.

- 5.12 The applicants put forward a long family connection with the village in support of the application, and the proposal has been supported by others, however this is not considered to justify a dwelling where it would not otherwise be in compliance with the adopted policies.
- 5.13 Some neighbours have expressed concerns about being outside development limits, and highway dangers, which are similar to the issues discussed above. Concerns about the planning history of the site and speculative concerns about future development have been raised but these points are not material to the present proposal.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

1. The proposal represents unsustainable development on an isolated site outside of the Development Limits of designated 'Sustainable Settlements' without a clear and justified exceptional case for development, contrary to Policies CP1, CP2 and CP4 of the adopted Hambleton Local Development Framework, which (amongst other things) seek to reduce the need for travel by car, relieve pressure on the open countryside and locate new housing close to existing services and facilities. The proposed development is also not in accordance with the requirements of the Council's Interim Policy Guidance Note - Development in Villages, and is contrary to the advice of the National Planning Policy Framework paragraph 55 concerning development in rural areas.

2. Due to its location and siting the proposed dwelling would be an anomalous and intrusive feature harmful to the rural surroundings, contrary to Policy CP16 and DP30.