

**Parish: Easingwold**  
Ward: Easingwold  
**4**

Committee Date: 18 August 2016  
Officer dealing: Mr Andrew Thompson  
Target Date: 23 August 2016  
Date of extension of time (if agreed): N/A

**16/01477/OUT**

**Outline application for two dwellings (all matters reserved)**  
**At 16 Thornlands, Easingwold**  
**For Mr & Dr Boyd**

## **1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site is the garden of 16 Thornlands, which is on the north eastern edge of Easingwold. Thornlands is a modern residential estate including detached bungalows and two-storey dwellings of brick and tile construction. Site levels fall gently from north to south. Number 16 is a detached two-storey dwelling at the end of the cul-de-sac with a detached garage and garden. To the south there are detached family properties accessed directly from Crayke Road.
- 1.2 The site is 0.12 hectares in size and includes a large healthy mature ash subject to TPO 1985/13, confirmed 16 April 1986. The eastern and southern boundaries are formed by mature trees and hedgerows which are typical of residential gardens.
- 1.3 The application, as amended, proposes two dwellings. It is in outline with all matters reserved but the indicative plans show a layout which accommodates two dwellings with associated gardens and parking and access through the drive of 16 Thornlands, which would involve the demolition of the existing double garage that serves the dwelling.

## **2.0 RELEVANT PLANNING HISTORY**

- 2.1 86/01316/FUL - Construction of a detached dwellinghouse with domestic double garage; Refused 19 December 1986, Appeal Dismissed.
- 2.2 08/02279/FUL - Alterations and replacement garage to dwelling; Granted 5 September 2008.

## **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 CP6 - Distribution of housing
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP17 - Promoting high quality design
- 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 DP12 - Delivering housing on "brownfield" land

Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
National Planning Policy Framework - published 27 March 2012  
National Planning Practice Guidance

#### **4.0 CONSULTATIONS**

- 4.1 Easingwold Town Council - No comment received.
- 4.2 Highway Authority - No objection subject to conditions.
- 4.3 Public comment - seven comments have been received from local residents raising the following objections to the original proposal for 3 dwellings:
- The proposed site lies outside of the Development Limits of Easingwold and for planning purposes is classed as countryside/agricultural use;
  - To allow would set a precedent for similar edge of town developments;
  - This is not an 'in-fill' area. To allow would also undermine the LDF Core Strategy Spatial Principles;
  - The visual impact and rural character of this area on the approach to Easingwold from Crayke along Crayke Road would be significantly harmed;
  - The access from Thornlands into the site is very narrow and affords exceptionally poor sight-lines for vehicles existing driveways of No.17 and 15 which are the neighbouring properties. This will lead to vehicle conflicts in this area and a high potential for collisions;
  - At least one tree subject to a legitimate and reasonable TPO will be removed from this countryside area without reason. This tree is in character and size for the garden area it happily sits in;
  - The proposal for a boundary wall to be built between Nos 15 and 16 would be unsightly within this countryside area and out of scale with anything in this area;
  - The demolition of the applicant's detached garage to facilitate access to the site demonstrates a lack of sustainability; and
  - Concerns about drainage.

#### **5.0 OBSERVATIONS**

- 5.1 The key determining issues are (i) the principle of development; (ii) the likely impact on the character of the area; (iii) the likely impact on the amenities of neighbouring residents; (iv) access; and (v) the likely impact on a protected tree.

##### Principle

- 5.2 The application site lies outside the Development Limits of Easingwold which cuts across the garden of 16 Thornlands. The policy of the LDF is that development outside of the Development Limits should be resisted unless it meets the exceptional case tests of the policy CP4. The recently adopted Interim Policy Guidance (IPG) applies to residential development in villages and housing proposals around the market towns cannot benefit from its guidance.
- 5.3 Whilst the Local Planning Authority can demonstrate a five-year housing land supply, this in itself is not a reason for refusal. It means that the planning policies for housing land supply can be considered up to date in terms set out in the NPPF. An assessment still needs to be made in relation to the principles of sustainable

development and whether there would be harm caused by the proposed development.

- 5.4 The 1986 application and subsequent appeal is noted and considered. At the time of the appeal the Inspector noted that 16 Thornlands and several other properties were not built and the principal concern was expressed with regard to the impact of the development on the approach and impact of the development on the approach from Crayke. The Inspector noted that it was feasible to put a dwelling within the garden of 16 Thornlands but this would impact on landscaping plans at the time. The Inspector noted four significant trees in his decision whereas only one now remains, which would be retained. There have been substantive changes in national planning policy within the intervening period and the development has been completed and the landscaping has matured. The Development Limits of Easingwold and the local policy approach to development outside them have remained unchanged since the appeal decision.
- 5.5 A further change since the appeal decision is the construction of dwellings along Crayke Road, to the south. These have brought frontage development as far as the Development Limits and the proposed development would therefore extend the built form of Easingwold further east, towards Crayke.
- 5.5 The proposal is well located in respect of access to shops and other services. The concerns of residents are noted with regard to the proposal setting a precedent, however each case must be considered on its own merits.
- 5.6 Having regard to the location of the application site and relationship to Easingwold, the proposal for additional residential development is considered unacceptable in principle, as it would extend development beyond the clear boundary set by the current Development Limits. It is considered more appropriate to review the need for and location of Development Limits through the plan making process.

#### The character of the area

- 5.7 As previously stated the existing estate of Thornlands is a modern development which includes large family dwellings with properties being relatively closely built next to each other. The application site and proposals, whilst indicative, would be a continuation of the existing development and the character and scale of development could be brought forward to match the existing development. Whilst the comments of neighbouring residents are noted, it is not considered that the proposal would be out of keeping with the character of Thornlands.
- 5.8 The development would extend eastward further than any other development north of Crayke Road. Whilst the agent observes that the views on approach from Crayke would be restricted to a single gable elevation rather than a row of detached dwellings, thus minimising visual impact (paragraph 6.9 of the Planning Statement), the development would harden the eastern extent of the town, exchanging a soft transition of hedgerows, trees and gardens with the built form of a gable wall of a dwelling. The Development Limits adopted in the LDF follow the line of the rear gardens of the dwellings on Thornlands as first approved and have protected the area to the east of Thornlands from additional development following the extension of gardens in to the strip of land to the east. When viewed from Crayke Road the application site appears as part of the countryside.
- 5.9 The development would introduce a significant change, such that the application site would appear as part of the built up area of the town. Policy DP8 sets the purpose of Development Limits including "to avoid a detrimental impact on the character, appearance and environmental quality of the adjacent countryside". The function of

Development Limits therefore is to avoid harm such as would be caused by this proposal. The proposal is contrary to Policies CP4, DP8, CP16 and DP30, which seek to protect the intrinsic character and quality of the landscape of the District.

#### The amenities of neighbouring residents

- 5.10 It is noted that the proposal is indicative with the eventual layout, floor plans and elevations matters to be considered in any subsequent reserved matters submission, if granted. The site would be able to accommodate two dwellings, which could be designed in a manner to respect privacy and amenities of neighbouring residents with adequate separation distances. The proposal, based on the consideration of the outline application, would be considered acceptable and in accordance with policy in this regard.

#### Access and Highway Safety

- 5.11 Whilst indicative, there is only one logical access point which would require the demolition of a double garage and use of the access to form a private drive to the existing and two new dwellings. The double garage would be wide enough to create a private drive of suitable width and there would be sufficient space within the site to allow for parking, turning and manoeuvring of cars and vehicles. There would be adequate visibility at the site entrance and no change in this character that would cause significant or severe harm to highway safety.

#### The protected tree

- 5.12 The proposal has been amended to reduce the amount of development from three dwellings to two and to keep the protected tree, which is an attractive and significant feature of the locality. Following amendment of the scheme, which originally proposed removal of this tree, there are no concerns raised that the development could not be delivered and the tree also retained.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:
1. The proposal would extend development outside of the Development Limits of Easingwold and would result in a change to the character and quality of the landscape by hardening the currently soft green edge of the town and is therefore contrary to Hambleton Local Development Framework Policies CP4, DP8, CP16 and DP30 that seek to protect the intrinsic character and quality of the landscape of the District. No exceptional case for development as allowed for by Policy CP4 has been made.