

**Parish: Skipton-on-Swale**  
Ward: Thirsk  
**17**

Committee Date: 18 August 2016  
Officer dealing: Mr Andrew Thompson  
Target Date: 23 June 2016  
Date of extension of time (if agreed): 22 August 2016

**16/00712/OUT**

**Outline application with some matters reserved for a detached dwelling  
at Hill Farm, Skipton On Swale  
for Mr P Robinson**

## **1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 The application site is located on the northern side of the A61 road in Skipton on Swale village to the east of the Smithy with the former Skipton Bridge Methodist Church to the rear. The land slopes gently up from the road to the former Methodist Church with the application site sitting between and opposite two storey dwellings on the road frontage.
- 1.2 The application is in outline and proposes a detached dwelling of 4 or more bedrooms on land between the Smithy and The Grove, set back from the road and utilising an existing access point. The application is to consider access and layout with other matters to be considered as Reserved Matters.

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

- 2.1 00/51353/P - Outline application for the construction of a dwelling; Refused 15 August 2001, Appeal Dismissed 11 February 2002 on highway grounds.
- 2.2 At a similar time there were also applications approved for the conversion of the former Methodist Church.
- 2.3 Opposite the site: 98/51212/O - Outline application for two dwellings with domestic garage and alterations to an agricultural building to form a dwelling; Refused 11 September 1998 on design grounds.
- 2.4 99/51302/O - Outline application for a dwelling and alterations to an agricultural building to form a dwelling; Granted 14 February 2000.
- 2.5 Westholme (to the west of the application site): 2/94/133/0034 - Outline application for a dwellinghouse; Granted 25 July 1994.
- 2.6 2/97/133/0034A - Details of detached dwellinghouse and domestic double garage; Granted 2 September 1997.
- 2.7 2/03/133/0034B - Detached dwelling and garage; Withdrawn 12 February 2004.
- 2.8 14/01203/FUL - Dwelling and garage and alterations to access; Refused 6 August 2014; Appeal Dismissed 19 January 2015 on the grounds that Skipton-on-Swale was not a sustainable location.
- 2.9 15/01349/FUL - New dwelling with associated garage (re-submission of 14/01203/FUL); Granted 18 August 2015.
- 2.10 Near to the application site to the south (Land at Catton Road): 15/02750/OUT - Outline application for a dwelling and detached garage: Refused 18 April 2016.

2.11 The above application was refused on the following ground:

The proposed new dwelling would be located in a village that is identified as an 'Other Settlement' in the revised Settlement Hierarchy for Hambleton at Local Development Framework Policy CP4. 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 development by maintaining or enhancing the vitality of the local community. The proposal fails to meet the requirements of criteria 2, 3 and 4 as the location of the site fails to reflect the existing built form and character of the village and will have a detrimental visual impact upon the open character and appearance of the surrounding countryside. The proposal also fails 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, DP9 and DP10 of the Hambleton District Council Core Strategy (2007) and Development Policies DPD (2008) and the Council's Interim Planning Guidance (2015).

### **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  
Development Policies DP1 - Protecting amenity  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP10 - Form and character of settlements  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
Interim Guidance Note - adopted by Council on 7th April 2015  
National Planning Policy Framework - published 27 March 2012

### **4.0 CONSULTATIONS**

- 4.1 Parish Council - No comment received.
- 4.2 Highway Authority - No objection as this proposal utilises an access previously approved as part of an earlier application.
- 4.3 Public Rights of Way Officer - No objection subject to an informative relating to the protection of the right of way.
- 4.4 Environmental Health Officer - No objection.
- 4.5 Scientific Officer (contaminated land) - No objection.
- 4.6 Public comment – None received.

### **5.0 OBSERVATIONS**

- 5.1 The key determining issues are (i) the principle of development; (ii) the impact on the character of the area, including the heritage of the area; (iii) neighbour amenity; and (iv) access.

## Principle of Development

- 5.2 In policy principle terms, Skipton-on-Swale has no Development Limits and the village is defined within the updated settlement hierarchy as an Other Settlement. Development Plan policies make a presumption against development in such locations unless one of the exceptions set out in Policy CP4 applies. No such exception is claimed and therefore the proposal is contrary to the development plan. However, the National Planning Policy Framework (NPPF) published in March 2012 must also be considered. Paragraph 55 of the NPPF states:
- "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".
- 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 is intended to bridge the gap between CP4/DP9 and the NPPF and relates to residential development within villages. The IPG has brought in some changes and details how Hambleton District Council will now consider development in and around smaller settlements and has included an updated Settlement Hierarchy and this is considered below.
- 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 Skipton on Swale is defined as an Other Settlement in the updated settlement hierarchy. To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby.
- 5.6 It is noted that the Appeal Inspector in 2015 stated that:

"Skipton on Swale is a small village and, with the exception of a church, has no shops, public house, school or other community facilities. Although it is on a bus route, the service is on school days only providing a school service to Ripon Grammar school and Thirsk School. The nearest settlements with a reasonable range of services and facilities are Carlton Miniott (2.8km) and Topcliffe (approximately 6 km by road from the application site), with the more distant market town of Thirsk providing a much wider range and choice. It is noted that Thirsk Railway Station is approximately 5km from the site. All these settlements and services are some distance from the village and are not realistically accessible by bicycle or foot from the appeal site due to the absence of footpaths and the speed and heavy traffic on the A61. The neighbouring settlements where there are services are significantly beyond the "approximately 2km between settlements" distance quoted in the IGN. The occupiers of the proposed dwelling would therefore be heavily reliant upon the private car to access them, contrary to sustainability objectives in Policies CP1 and CP2 of the LDF which seek to minimise the need to travel. The proposal would also conflict with one of the core land-use planning principles in the Framework which requires planning to "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling...".

- 5.7 The village is therefore some distance from amenities and facilities and is considered to be a sustainable location for development under local or national policy.

#### Impact on the character of the area

- 5.8 The application site lies between substantial buildings which front the street and The Grove which is set back from the roadside. The site is relatively open and there are no distinctive features on it that would prevent development. The former Methodist Church is an attractive building but is not listed and is not considered to be a non-designated heritage asset.
- 5.9 The proposed dwelling would be set back from the road and would be in a similar position to the neighbouring property of The Grove. The proposal would introduce a change in the character of the area but this would not be significant when considered in the context of the overall character of the village. As such, a design-based refusal, as per the past proposal to the south (15/02750/OUT) is not considered appropriate.
- 5.10 It is considered that the development would not have a detrimental impact on the natural, built or historic environment and would therefore meet the tests of criterion 3. Neither would it have a detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements (criterion 4).

#### Neighbour amenity

- 5.11 The proposal shows a building that would be positioned in the centre of the site. The external appearance and scale of the proposal are reserved matters but it is considered that a suitably designed building, in keeping with properties such as The Grove and possibly inspired by the vernacular of the Methodist Church, could be accommodated on the site whilst respecting the amenities of the occupiers of neighbouring properties.

#### Access

- 5.12 The comments of the Highway Authority are noted and the use of the existing access point onto the A61 is also noted. The proposal shows parking and turning space within the site. There are therefore no concerns raised with regard to highway safety.

## **6.0 RECOMMENDATION**

6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reason:

1. Skipton on Swale is a village that is remotely located with few services and without convenient access to services in a nearby settlement by modes of transport other than the car. The proposed new dwelling would be located in a village that is identified as an Other Settlement in the revised Settlement Hierarchy for Hambleton at Local Development Framework Policy CP4. 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 development by maintaining or enhancing the vitality of the local community. The proposal fails to meet the requirements of criterion 1 as the site is not located where it will support local services. The proposal also fails to meet any of the exceptional circumstances set out in Policies CP1 and CP4 of the Core Strategy, that would justify development outside Development Limits, and would therefore also be contrary to policies CP2, CP4, and DP9 of the Hambleton Core Strategy (2007) and Development Policies DPD (2008) and the Council's Interim Planning Guidance (2015) and in particular, but not exclusively paragraphs 29, 37 and 55 of the National Planning Policy Framework and would be an isolated form of unsustainable development.