

Parish: Brandsby-cum-Stearsby

Ward: Huby

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Committee date: 20 July 2017

Officer dealing: Mrs C Strudwick

Target date: 26 July 2017

16/02213/OUT

Outline application (all matters reserved) for the construction of 3 detached dwellings with associated car parking and gardens following the demolition of existing horticultural nursery buildings, glasshouses and associated structures

At Cherry Hill Nurseries, Cherry Hill, Crayke Road, Brandsby

For Mr & Mrs Tregellis

This application is referred to Planning Committee at the request of Councillor Cookman

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The 0.49ha site is a former plant nursery which lies 2.8km from the edge of Crayke village and 750m from Brandsby, outside any Development Limits. The site is within the Howardian Hills Area of Outstanding Natural Beauty.
- 1.2 The site is elevated above the Crayke Road between Brandsby and Crayke, and is well screened by mature evergreen trees. The land contains derelict polytunnels, base walls from old polytunnel buildings, glasshouses, above ground fuel tanks, oil burners, silo storage and overgrown areas previously used for the cultivation of plants. The buildings were used for commercial purposes, in association with the previous tenant's horticultural nursery business, and would be cleared to make way for the proposed development.
- 1.3 The application forms describe the proposal to be in outline with all matters reserved, however the application forms show the proposal seeks approval for three two-storey dwellings. The site location plan suggests the proposed development would be served by a single vehicular access point from Crayke Road, although that would be for a reserved matters submission to consider in detail. Two options have been provided for the point of connection of the internal access road to Crayke Road. On the basis that the access is a reserved matter the requirement at the outline stage is to assess whether a suitable access can be achieved in principle.
- 1.4 If approved the number (scale) can be controlled by condition and the reserved matters, i.e. access, appearance, landscaping, and layout would be for a later approval.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development

Core Strategy Policy CP4 - Settlement hierarchy

Development Policies DP1 - Protecting amenity

Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets

Core Strategy Policy CP17 - Promoting high quality design

Core Strategy Policy CP2 - Access
Development Policies DP17 - Retention of employment sites
Development Policies DP28 - Conservation
Development Policies DP32 - General design
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP9 - Development outside Development Limits
Howardian Hills Area of Outstanding Natural Beauty Management Plan 20014-2019
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council – Before any decision is made consideration should be given to the access/exit onto the road. The dangers of the access/exit cannot be over stressed.
- 4.2 Highway Authority – The existing access serving the former nursery has very substandard visibility at 2.4 metres x 8 metres westerly towards Crayke and 2.4 metres x 15 metres easterly towards Brandsby. The visibility requirement is 120 metres at this location. Whilst adequate visibility in an easterly direction could be provided by setting back the boundary hedge, it appears unlikely that the visibility to the west could be provided given the road alignment and the height of the land. A suitable access could be provided located approximately 90 metres east of the existing access. The boundary hedge on the western side of this possible access position would need realigning to achieve the required splay (approximately 90 metres of hedge). To the east of this possible access position, the required visibility splay could be provided with a minor amount of hedge trimming.
- 4.3 AONB Officer – Objects in the belief that the proposal is contrary to the relevant policies within the NPPF, Hambleton Local Plan and AONB Management Plan:
- Core Strategy Policies CP4, CP6 (paragraph 4) and CP16 of the Hambleton District Local Plan, in relation to distribution of new housing and protection of the nationally designated AONB landscape;
 - Policies DP9 and DP30 of the Development Policies DPD; and
 - National Planning Policy Framework paragraph 14 (presumption in favour of sustainable development), which makes it clear that the presumption does not apply in areas where specific policies in the Framework indicate that development should be restricted. Footnote 9 stipulates that this includes AONBs.

The proposed access to the site is totally unsuitable and situated close to a blind corner. Although this is a matter for the Highway Authority to advise the LPA on, any works to create a satisfactory visibility splay would require significant hedgerow removal and earthmoving works, which in themselves would have a significant detrimental impact on the AONB landscape due to the scale and extent needed.

The disused nursery site would still have a significantly lower impact on the AONB landscape than the proposed housing scheme. No other work (e.g. demolition of old sheds, etc.; erection of new structures) could be undertaken without obtaining planning consent.

- 4.4 Environmental Health Officer – No objection; recommends land contamination conditions.
- 4.5 Public comments - One objection has been received, summarised as:

- Government policy is that new build isolated developments in the countryside, unless there are special circumstances, should not be approved;
- The development cannot be considered to be part of a sustainable community;
- It would have a detrimental impact on the appearance of the local countryside;
- Concerns of road safety and potential traffic accidents due to the bad access from Crayke/Brandsby road;
- The site should return to nature and blend in with surrounding woodland, as consistent with the AONB Management Plan “primary purpose”;
- Consent would create an unwanted precedent of piecemeal requests for planning approval of new built multi housing development in rural areas outside village boundaries; and
- Noise from a rookery on the site.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are (i) whether the principle of development here meets the requirements of CP4; (ii) how development in this location would impact on the Howardian Hills Area of Outstanding Natural Beauty; and (iii) whether a suitable access can be provided in principle. All other matters are reserved for later approval, although some consideration of (iv) design is appropriate at this stage.

Principle

- 5.2 The application site lies outside the Development Limits of any settlement and therefore development should only be granted if an exceptional case can be made in terms of Policies CP1 and CP2 and in respect of the criteria within Policy CP4.
- 5.3 The National Planning Policy Framework (NPPF) states, in paragraph 55, "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".
- 5.4 Policy CP4 states that development in other locations will only be supported when an exceptional case can be made for the proposal in terms of Policies CP1 and CP2, including where (ii) it is necessary to secure a significant improvement to the environment or the conservation of a feature of acknowledged importance.
- 5.5 The site is currently occupied by a series of derelict glass houses which form part of the former plant nursery. This use is no longer in operation and the applicant has stated that there is no intention of using it for this purpose again, hence the submission of this application. It is anticipated by the agent and applicant that the “regeneration of the site via the construction of a well-designed housing scheme would secure a substantial improvement in the appearance of the site, particularly when viewed from neighbouring properties.” The agent argues that the scheme should therefore benefit from the exception afforded by CP4, criteria (ii), that “it is necessary to secure a significant improvement to the environment”. However, the impact of the existing structures is not considered so great that it can justify new dwellings in a location where such development is resisted by policy. The buildings can be removed without the need for planning permission but if nothing is done, their impact will soften with time and decay and the natural growth of vegetation.
- 5.6 The site presently is not causing a detrimental loss of visual amenity or impacting unacceptably on the contribution the landscape makes to the Howardian Hills AONB. In effect there is no need to develop the site in order to secure an improvement to the environment of the magnitude that CP4 criterion ii is concerned with.

- 5.7 The dwellings would each benefit from the provision of at least four parking spaces, which demonstrates the anticipated reliance on the car as a means of travel by residents. This scheme does not comply with CP2 because occupiers would have a high reliance on private transport and through their indication of at least four parking spaces the developer has highlighted this dependency.
- 5.8 The site is beyond the acceptable 2km to a sustainable location set out in the Council's Interim Policy Guidance (IPG) on housing development in villages, and does not reflect the existing built form and character of a village, as it is isolated and not within a village setting. Therefore the scheme cannot draw support from the IPG.
- 5.9 The Howardian Hills Management Plan 2014-2019 sets out that Local Communities objective LC1 is to assist local communities with identifying and implementing projects that maintain and enhance their character, sustainability and sense of community. It is not considered that an isolated development of three large houses would enhance the character, sustainability or sense of community. Accordingly the proposal is also contrary to the Howardian Hills AONB Management Plan.

Impact on the Howardian Hills Area of Outstanding Natural Beauty

- 5.10 The primary purpose of AONB designation is "to conserve and enhance natural beauty". There would be a greater improvement to the environment if the derelict glass houses were simply removed, returning this site to the wooded and farmed landscape that is dominant in the Howardian Hills. It is further considered that the development of three houses would cause unacceptable harm to the setting of the Howardian Hills Area of Outstanding Natural Beauty.
- 5.11 The site is well screened from Crayke Road by a band of mature conifer trees and so does not causing significant harm to the local environment in its current condition. Given the steep gradient of the site it is unlikely that there would be prominent views of the site from the road if the trees were lost to create or alter the access. There will be a greater impact on the far ranging views across the countryside if the trees were to be lost, however given the nature of the site which is being overtaken by natural growth it is considered that a derelict site would have less of an impact on those medium or long range views than that of three large houses, and associated hard landscaping and car parking.
- 5.12 The agent states that in their opinion the proposed new dwellings would "snuggle" between existing dwellings, thus adding to a small group of buildings. The site does lie within an area of dispersed buildings but they are clearly in a countryside setting and do not achieve a village character. It is considered that the proposed dwellings would not nestle in to the landscape but would appear dominating in their setting. They would thus adversely impact on the setting of the open countryside and the Howardian Hills Area of Outstanding Natural Beauty.

Access

- 5.13 Whilst the matter of access is not for consideration in this outline application, the current access to the site off Crayke Road is considered substandard. The Highway Authority has commented that the visibility requirement is for 120 metres along the road at this location.
- 5.14 Access options have been submitted in support of this application, in an effort to demonstrate that a safe access can be created. For a safe access to be created the access road would need to be extended from its current position at least 45m to the east. Given the gradient of the land any creation of a road would involve the levelling of the land and potentially the removal of trees as well as hedgerow. The harm to the

rural landscape which would be caused as a result of the road creation would not be outweighed by any benefit that three dwellings might bring.

Design

- 5.15 Whilst not a matter for determination at the outline application stage, the agent and applicant should be aware of the design issues. The application indicates the proposal is to build three two-storey dwellings ranging between 315sqm and 325sqm (although it is acknowledged this detail would be agreed at reserved matters). The National Described Space Standards sets the benchmark for a six-bedroom two-storey house at a minimum of 123sqm. Even at 315sqm the dwellings would be twice the size of this recommended minimum. The Council's Size, Type and Tenure of New Homes SPD (adopted September 2015) sets out the Council's intention to achieve a higher percentage of two and three bedroom homes. The indicative details are of a scheme that would not provide dwellings of a size required to meet local needs.

6.0 RECOMMENDATION

That subject to any outstanding consultations permission is **REFUSED** for the following reasons:

1. Development site is outside Development Limits and fails to meet Local Development Framework Policies CP1, CP2 and CP4 due to its isolated location. This site is remotely located with no services and without convenient access to services in a nearby settlement by alternative modes of transport. Residents would rely almost exclusively on private vehicle to access any services or facilities. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. In this instance no special circumstances have been demonstrated and the proposal would be isolated from shops and services which are approximately 6km (Easingwold) from the application site. The development would cause significant harm contrary to the Hambleton Local Development Framework Policies CP1, CP2, CP4, CP16, DP9, DP10 and DP30 and the Council's Interim Planning Guidance and in particular, but not exclusively, paragraphs 29, 37 and 55 of the National Planning Policy Framework.
2. The site in its current derelict condition of the site does not cause significant harm to the appearance of the landscape of the Howardian Hills Area of Outstanding Natural Beauty. The construction of three houses in this remote and isolated site of the Howardian Hills Area of Outstanding Natural Beauty would cause harm to the appearance of the landscape and any benefit from removal of the derelict buildings would not outweigh the harm to the landscape. The proposed siting of development would cause significant harm contrary to the Hambleton Local Development Framework Policies CP1, CP4, CP16, DP28, and DP30.
3. The level of works required to provide a safe means of access to the site are of such an extent that they would cause significant harm to the protected landscape of the Howardian Hills Area of Outstanding Natural Beauty. The works required by the proposal are contrary to the Local Development Framework Policies CP1, CP4, CP16, DP28, and DP30.
4. The proposed development is not in keeping with the Howardian Hills Area of Outstanding Natural Beauty Management Plan 20014-2019 in that it proposes isolated dwellings in the countryside and cause harm to the character and appearance of the Howardian Hills Area of Outstanding Natural Beauty.