

Parish: Seamer
Ward: Hutton Rudby
11

Committee date: 9 November 2017
Officer dealing: Mr K Ayrton
Target date: 10 November 2017

17/00305/OUT

**Outline application for five dwellings with all matters reserved
At Springwell Nurseries, Stainton Road, Seamer
For Mr & Mrs Cook**

This application is referred to Planning Committee as the proposal is a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located within the settlement of Seamer, which is an Other Settlement located at the northern edge of the district, close to the boundary with Stockton on Tees Borough. The site is linear in nature and is approximately 0.9 hectares in size.
- 1.2 Springwell Nurseries currently operates from the site. This is owned and operated by the applicants, who are approaching retirement. The existing development comprises greenhouses and poly-tunnels, and an extent of hardstanding to the front of the site. This links to two accesses. One serves as an entrance off Stainton Road; the other as an exit.
- 1.3 The site has an established landscape framework around the majority of its boundary, which largely screens it from the adjoining countryside to the north and east. On the opposite side of Stainton Road are several residential properties. The core of the village is located to the south east where there are a several services and facilities.
- 1.4 The application is in outline form with all matters reserved. The remaining matters, i.e. access, appearance, landscaping, layout and scale, would be for a later application if this application is approved.
- 1.5 Improvements have been secured through reducing the scale of the proposal from 12 dwellings to five, restricted to approximately half of the site.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Policy CP1 - Sustainable development
Core Policy CP2 - Access
Core Policy CP4 - Settlement hierarchy
Core Policy CP8 – Type, size and tenure of housing
Core Policy CP16 – Protecting and enhancing natural and man-made assets
Core Policy CP17 – Promote high quality design
Core Policy CP21 – Safe response to natural and other forces
Development Policy DP1 - Protecting amenity
Development Policy DP3 – Site Accessibility
Development Policy DP4 - Access for all

Development Policy DP10 – Form and character of settlements
Development Policy DP13 – Achieving and maintaining the right mix of housing
Development Policy DP28 - Conservation
Development Policy DP30 – Protecting the character and appearance of the countryside
Development Policy DP32 – General Design
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 – Agrees to the development, subject to the following comments:

- The site is within the present Development Limits (Officer Note: The site is located beyond, but adjacent to, the Development Limits);
- It will only support small scale development;
- The site is situated on the edge of the village but it will not adversely impact on the rural character;
- Part of the site is already derelict; and
- Would like to see up to four starter homes to enable young people to get onto the property ladder.

4.2 Highway Authority – The indicative layout of the internal road system does not presently comply with the County Council's Design Standard, however as this is an outline application and if approved these details can be amended. Given the number of dwellings proposed the road layout should be to an adoptable standard. The relevant conditions for this would be included at the reserved matters stage.

Visibility will need to be improved at the access in line with the standards within Manual for Streets as well as pedestrian access to the site from the existing footway network on Hilton Road.

4.3 Northumbrian Water - The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request a suitably worded condition.

4.4 Environmental Health Officer – No objection.

4.5 Durham Tees Valley Airport – No objection.

4.6 Public comments – One letter of objection making the following comments:

- 12 dwellings is a substantial number;
- No information available; and
- The development will result in overlooking.

One letter of support subject to upgrading amenities, road access, the pavement to the main village, electricity supply, water & sewerage.

Two neutral letters making the following comments:

- Sufficient on-site car parking will need to be provided;
- Consideration needs to be given to drainage;
- Landscaping should be retained; and
- Would prefer to see less (than 12) houses.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) the principle of development in this location; (ii) the impact on the character and appearance of the surrounding area; (iii) the impact on the amenity of neighbouring occupiers; (iv) the impact on flood risk and drainage; and (v) highway safety.

Principle

- 5.2 The site is located within the settlement of Seamer, and falls just beyond the Development Limits. Policy DP9 states that development will only be granted for development beyond Development Limits "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal would be a departure from the Development Plan. However, it is also necessary to consider more recent national policy in the form of the National Planning Policy Framework (NPPF) published in March 2012. 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 consistent interpretation of the NPPF alongside Policies CP4 and DP9, 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.
- 5.4 In the IPG Seamer is identified as an Other Settlement. This is in recognition of the relatively small number of services and facilities.
- 5.5 Taking these factors into consideration, for the development to benefit from the IPG, Seamer would need to form a cluster with a Secondary or Service Village or one or more Other Settlements. Where a cluster comprises only Other Settlements, they must have a good collective level of shared service provision in order to comply with criterion 1 of the IPG.
- 5.6 The nearest main settlement is Stokesley, located to the south east of Seamer. This is accessed via derestricted rural roads, large sections of which are not served by footways. The distance from the edge of the main built up area of Seamer to the edge of Stokesley is approximately 2.7km. Also located in between is the settlement of Tame Bridge, which is also an Other Settlement. It should be noted that the main services within Stokesley are approximately another 0.5km distant.
- 5.7 As part of their submission, the agent refers to a November 2016 appeal decision at Low Worsall, where the Inspector identified the distance to Yarm in their deliberations in terms of whether Low Worsall could be considered to be a sustainable location. The distance to services and facilities (between 2.7km to 4.5 km) exceeded the distance set out in the IPG, but the Inspector still considered there to be convenient access. What the agent does not highlight is the Inspector's identification of a footpath linking Low Worsall with Yarm, which influenced their decision. The Inspector also gave weight to the fact that the proposal was for a single dwelling, which added to the view that the proposal would not give rise to significant harm in respect of additional travel by private car. It was also identified that the development would have good access to local services, located on the edge of Yarm closest to the application site.

- 5.8 There is clearly a conflict with criterion 1 of the IPG and having applied the guidance it cannot be concluded that the proposal would be in accordance with the IPG.
- 5.9 Policy DP17 aims to resist the loss of employment land. In this instance it is understood that the applicants are close to retirement and the business has been reducing in scale over the last few years. Indeed it only provides employment for them. It can be seen that the relatively small size of the site would suggest that it would not lend itself to operating as a viable commercial enterprise in itself. Considering the amount of existing employment generated from the site and the fact that part of the site would remain undeveloped and therefore potentially available for employment use, conflict with the policy is limited.

Character and Appearance

- 5.10 IPG criterion 2 requires development to be small scale. The guidance indicates this is normally up to five dwellings; however that does not automatically mean that five dwellings would be appropriate in every settlement. In this case five dwellings are proposed. Originally 12 dwellings were proposed, which was considered to be too many units in terms of the size of the host settlement. It is recognised that the amount of development was driven by the size of the site. The reduced scheme for five dwellings, which is focused on the southern half of the site, is considered to be more appropriate. Whilst at the top end of small scale, it is considered to accord with criterion 2.
- 5.11 Along with the remainder of criterion 2, criteria 3 and 4 require consideration to be given to the impact of the development on the surrounding natural environment and physical built form. This is consistent with other policies in the LDF. In making this assessment it is noted that the application is in outline form only with all matters reserved. The plans submitted as part of the application are for illustrative purposes only. Therefore, they have been given little weight in forming the recommendation, which focuses solely on the principle of development.
- 5.12 It is considered that the southern half of the site is the most logical to accommodate development. It relates to the existing development along Hilton Road, which links to the core of the village. The shape and size of the site provides opportunity to deliver a development that would benefit from the existing landscape framework, respond positively to the built form, and respect residential amenity.
- 5.13 It is recognised that the site is distinctly separate from the wider countryside and is read in the context of the existing built form. The parts of the site that accommodate development are viewed as previously developed land. The Parish Council makes the comment that the site is derelict. However, it is considered that the site is not harmful to the visual amenity of the area to a point that would justify development of the site under policy CP4 (ii) which seeks to mitigate significant environmental harm. However, weight can be given to the previously developed status of part of the site.
- 5.14 It is recognised that the site would present some design challenges at reserved matters stage and it will be important that any proposal demonstrates how it has responded to the existing built form. However the existing landscape allows the site to be viewed more in the context of the existing development and will not be viewed as an element in the surrounding landscape. Therefore the impact on the natural surrounding landscape would be minimal.

Neighbour Amenity

- 5.15 The nearest residential properties are located on the opposite side of Stainton Road (to the west) and to the south facing onto Hilton Road. It is considered that there is

scope for a design to be achieved that would not result in an adverse level of harm to residential amenity and accord with Policy DP1.

Highways

- 5.16 The Highway Authority has no in principle objection to the proposed development. Were the outline application approved, it has identified opportunities to improve the internal road layout (referring to the illustrative proposed layout plan), improved visibility and pedestrian access to the site from the existing footway network.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reason:
1. The proposal represents development in a rural location outside of the Development Limits of designated Sustainable Settlements without a clear and justified exceptional case for development contrary to Policies CP1, CP2, CP4 and DP9 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.