

Parish: Great Smeaton
Ward: Appleton Wiske & Smeatons
8

Committee date: 11 January 2018
Officer dealing: Mr K Ayrton
Target date:

17/02131/OUT

**Outline application for five dwellings with all matters reserved
At OS Field 5368, Hambleton Court, Great Smeaton
For Mr G Tuer**

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

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is located within the settlement of Great Smeaton, which is a Secondary Village with a small range of services and facilities. Extending on a broadly east-west alignment, Great Smeaton has a linear form and, in the main, residential buildings fronting the A167 (Northallerton Road).
- 1.2 The application site is located at the western end of the village. It sits behind Hambleton Court, which is a relatively modern housing estate comprising a mix of two storey detached properties and bungalows. Its layout contrasts with the predominant form of the village, forming a layer of development behind the main frontage.
- 1.3 The Great Smeaton Conservation Area ends at the entrance to Hambleton Court. The Definitive Map identifies a public footpath a short distance to the east of the application site extending north through the field.
- 1.4 The site is approximately 0.41 hectares in extent and rectangular in shape extending along the rear of numbers 3, 4, 5, 6 and 7 Hambleton Court. It currently forms part of a much larger field to the north (in the ownership of the applicant), which falls away from Hambleton Court. Access to the site would be from Hambleton Court, via the existing road network and over an area of grass between the buildings which is understood to form part of the adopted Highway and is otherwise in the control of the applicant.
- 1.5 Whilst indicative plans showing how five dwellings could be laid out on the site have been submitted, the application only seeks determination of the principle of the development with all matters reserved. Appearance, landscaping, layout, scale and access would be for a later application if this is approved.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 No planning history

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 CP8 - Type, size and tenure of housing
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP17 - Promoting high quality design

Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP10 - Form and character of settlements
Development Policies DP13 – Achieving and maintaining the right mix of housing
Development Policies DP28 - Conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies 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 – No comments received.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Drainage Board – No objection subject to conditions relating to surface water drainage.
- 4.4 Environmental Health Officer - The submitted phase 1 contaminated land report has identified a low to medium risk of contamination adversely affecting the end users due to potential made ground and asbestos. The report also highlights a former sheepwash within 10m off-site which may have caused localised contamination due to the chemicals used. Given these risks conditions are proposed to secure appropriate testing and mitigation.
- 4.5 Yorkshire Water – No observations.
- 4.6 Public comments – 13 letters of objection received making the following comments:
- Great Smeaton is a linear village. The development would initiate a trend away from this important aspect of the village's character;
 - A larger site was rejected in the SHLAA as it was noted that development of the site would be out of character;
 - This development would sit below the level of Hambleton Court;
 - Most of the local services and facilities have closed;
 - There is already a surplus of housing in the village;
 - Loss of agricultural land and habitat for wildlife;
 - The development would not benefit the village;
 - Impact on views from properties;
 - There isn't a regular bus service;
 - Absence of playing fields;
 - The proposal is a stepping stone to a much larger development;
 - Increased traffic;
 - Harm to the open agricultural setting of the village;
 - The development should provide affordable housing; and
 - Increased risk of surface water flooding.

One neutral letter received making the following comments:

- Services and facilities have closed over the last 30 years;
- There are severe bends at either end of the village; and
- No particular objection to a modest increase in housing.

Four letters of support received making the following comments:

- The application will help regenerate the village to somewhere near to its former glories; development is needed to support services and facilities; and
- Due to forward thinking when Hambleton Court was built, there is no requirement to create a new access.

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) highway safety and (iv) the impact on residential amenity in the vicinity of the application site.

Principle

- 5.2 The majority of the site is located outside, but adjoins the Development Limits of Great Smeaton. Policy DP9 states that development will only be permitted 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 is 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 bridges the gap between CP4/DP9 and the NPPF and relates to residential development within villages.
- 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 In the Settlement Hierarchy reproduced in the IPG Great Smeaton is identified as a Secondary Village. This is in recognition of the number of services and facilities within the village. As such Great Smeaton is considered to be a sustainable location for the purposes of the IPG. The proposal would therefore meet criterion 1 of the IPG, in that it would be located where it will support local services.
- 5.6 IPG criterion 2 requires development to be small scale. The guidance indicates this is normally up to five dwellings. It is considered that the scheme accords with this criterion. In forming this view it is recognised that permission has recently been granted for five dwellings (16/02124/OUT) along Hornby Road and there is a separate pending application at East House (17/01125/FUL) to the east of the village for three dwellings. However, the application site is not viewed in the same context with a significant separation distance between the sites.
- 5.7 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 and built form, including the historic environment. In making this assessment it is noted that the application is in outline form only with all matters except for access 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
- 5.8 Hambleton Court is considered to be out of keeping with the predominant character of Great Smeaton. Its double layer of development conflicts with the mainly linear form of the village. Having reviewed old maps, it is evident that Hambleton Court was developed in place of a farmstead (Home Farm), which extended back from the frontage development, explaining the somewhat out of character development form.
- 5.9 When viewed in isolation with Hambleton Court, the proposed development could be considered to reflect the built form, simply adding another layer of development. However, the IPG requires development to reflect the existing built form and character of the village, not simply the immediate context. The supporting text expands on this by requiring consideration to be given to a village's historic evolution and its logical further growth. The proposed development would further highlight the contrast in character in the site's immediate context and fails to respond to the wider local character, history and local distinctiveness.
- 5.10 The development would also extend the built form into the surrounding open countryside. There is no natural boundary to the application site and there are very strong physical, visual and functional connections with the wider farmland. Consequently the development would result in an intrusion into the countryside, failing to recognise its intrinsic character and appearance.
- 5.11 For the above reasons set out above, the proposed development would have a harmful effect upon the character and appearance of the area in conflict with the IPG and policies DP30 and DP32.

Highway safety

- 5.12 Access would be via Hambleton Court and the Highway Authority has raised no objection.

Residential amenity

- 5.13 All matters are reserved and as such should outline permission be granted the specific impacts of development can be addressed through any reserved matters application. The site is considered large enough to achieve satisfactory separation distances from existing properties and as such the proposed development is not considered to be harmful to residential amenity.

6.0 RECOMMENDATION

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

1. The proposal represents development in a location outside of the Development Limits of a village within the Hambleton Settlement Hierarchy without a clear and justified exceptional case for development, contrary to Policies CP1, CP2 and CP4 of the adopted Hambleton Local Development Framework and the National Planning Policy Framework.
2. The development of housing on this site would fail to reflect the predominant linear form of the village and would adversely affect the open character of the countryside surrounding the village. The proposed development is therefore considered to be contrary to Policies CP16, CP17, DP30 and DP32 of the adopted Hambleton Local Development Framework and the Interim Policy Guidance Note on housing in smaller settlements.