

**Parish: Raskelf**  
Ward: Raskelf and White Horse  
**12**

Committee date: 11 January 2018  
Officer dealing: Mr Mark R Russell  
Target date: 31 January 2018

**17/02358/OUT**

**Outline planning application for the construction of five dwellings with all matters reserved**

**At land north east of Dove Cote, The Green, Raskelf  
For Mr P Kilvington**

**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 approximately 0.33 hectares (0.81 acres). The applicant has indicated that the current use of the site is as a domestic garden associated with the property known as Dovecote; however no planning approval has been given for the domestic use of the land.
- 1.2 The application site is currently bound by established hedgerow extending to a total height of approximately 1.8m, which separates the site to the public highway. The site sits to the south-east of a line of long linear plots which extend south-east from the rear of dwellings fronting the main highway which passes through Raskelf village.
- 1.3 The village of Raskelf is principally a linear settlement centred on North End, however a small cluster of properties, known as The Green are located to the south on Hag Lane. It is considered that this area is associated with and accessible from the main part of the village, although it is beyond Development Limits.
- 1.4 The proposal seeks outline planning consent (with all matters reserved) for five residential dwellings. The proposed indicative site layout plan shows five three/four bedrooms houses, however the applicant has indicated that the final mix of dwellings would be agreed at the reserved matters stage.

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

- 2.1 2/78/122/0048 - Outline application for the construction of a detached bungalow; Refused 30 November 1978.
- 2.2 2/85/122/0048A - Outline application for residential development; Refused 27 June 1985.
- 2.3 2/85/122/0048B - Outline application for the construction of a dwelling; Refused 29 August 1985.
- 2.4 03/00294/FUL - Construction of a detached dwellinghouse and domestic double garage to replace existing bungalow and domestic garage; Granted 7 July 2003.
- 2.5 08/03999/FUL - Revised application for the construction of a detached dwelling and domestic double garage to replace existing bungalow and domestic garage; Granted 12 November 2008.
- 2.6 16/02803/OUT (land to west of Green Acres, The Green, Raskelf) - Outline application (all matters reserved) for the construction of three dwellings; Granted 28 April 2017.

- 2.7 17/02240/OUT (Land north east of The Cottage, The Green, Raskelf) - Outline planning application (with all matters reserved) for residential development, to include associated parking and amenity space; Pending consideration (elsewhere on this agenda).

### **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  
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 DP8 - Development Limits  
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  
Development Policies DP43 - Flooding and floodplains  
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 – Comments to be made after the Parish Council meeting on 8 January 2018.
- 4.2 Highway Authority – No objection subject to conditions.
- 4.3 Yorkshire Water – No objection subject to a condition relating to surface water.
- 4.4 Ministry of Defence – No safeguarding objections.
- 4.5 Public comments – None received.

### **5.0 OBSERVATIONS**

- 5.1 The main issues to consider are: (i) the principle of development; (ii) the impact on the character of the surrounding area, including the character and appearance of the settlement (iii) residential amenity; and (iv) highway safety

#### Principle of development

- 5.2 The site falls outside of Development Limits of Raskelf. Policy CP4 states that all development should normally be within the Development Limits of settlements. Policy DP9 states that development will only be granted for development 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).

- 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.
- 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 contained within the IPG, Raskelf is defined as a Secondary Village and therefore is considered a sustainable location for development; satisfying criterion 1 of the IPG that proposed development must provide support to local services including services in a village or villages nearby. However, it is necessary to consider whether the site can be viewed as within Raskelf, being approximately 250m (by road) beyond Development Limits.
- 5.6 The village of Raskelf has two distinct parts; the main village and The Green. The proposed development is within The Green area to the south of the main village and this area is beyond Development Limits. Notwithstanding that, this area is closely associated with the main part of the village being approximately 250m apart at its closest point and linked via a lit footpath that enables residents to access services, including the recreation ground which is located between the two parts of the settlement. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable. Outline approval was given for the construction of three dwellings adjacent to Green Acres (16/02803/OUT), an infill site within The Green about 100m south of this application site. That decision confirmed the view that development in The Green can be considered to support local services as required by criterion 1 of the IPG.

The character and appearance of the settlement and the surrounding countryside

- 5.7 IPG criterion 2 requires development to be small scale. The guidance expands on this definition as being normally up to five dwellings; however this does not automatically mean that five dwellings would be appropriate in every settlement. In this instance, five dwellings are shown on the indicative site layout plan which must be considered cumulatively with the planning permissions recently granted for three dwellings with to the west of Green Acres, The Green, Raskelf (16/02803/OUT) and the current planning application directly to the south east of the site (17/02240/OUT) for four dwellings.
- 5.8 The Green, Raskelf currently has 20 dwellings, excluding the three that already have outline planning approval. This application is for five dwellings and the other outline

application that is pending consideration is for four dwellings. The approved scheme of 3 dwellings constitutes a 15% net increase in residential dwellings in The Green. This proposal for five dwellings and the other outline application for four dwellings would be an 45% increase in residential dwellings in The Green. This would result in a total increase of 60% residential dwellings in this part of Raskelf. Therefore the cumulative impact of development upon the built form of the settlement needs to be carefully considered here.

- 5.9 Whilst the proposal for five dwellings as shown on the indicative layout may be considered small in its own right consideration still needs to be given to the overall impact of this development and those planning applications as described above would have on The Green, Raskelf. It is acknowledged that the general layout of the dwellings as per the indicative site layout shows a linear pattern that follows the sweep of Hag Lane, which is predominantly linear in character.
- 5.10 The site is clearly visible on approach from Hag Lane and when travelling along Raskelf Road to the north east of the site. The development would result in a new vehicular access off Hag Lane. Whilst it is acknowledged that this application is for outline planning permission, with all matters reserved the indicative site layout shows 5 relatively large detached dwellings, all with a garage, garden space and parking areas.
- 5.11 The Green has it is considered grown organically and incrementally with small scale development that has had regard to the prevailing character and setting of this settlement. The subject site represents an important entrance way to The Green approaching from the east and very much defines this area of the settlement and allows the character and setting to be formed. The question arises as to whether the site contributes in a meaningful manner to the overall setting and character of the settlement of The Green and, in effect, sets the natural limits to The Green.
- 5.12 Taking the above into account, it is considered that the development of the site for residential use would lead to an inappropriate and incongruent feature that would erode the rural character of the southern edge of The Green part of Raskelf. If developed it would set an unacceptable precedent that the Council would find hard to defend in the future. Furthermore, it would extend beyond the natural limits of The Green in a manner that would be detrimental to its setting and character.
- 5.13 It is acknowledged that the applicant has sought to demonstrate that the site could be developed for a linear type development. Of more concern though is the overall cumulative impact that the development of the site combined with the other planning application for 4 dwellings (17/02240/OUT) with the three dwellings that has already been granted outline planning permission (16/02803/OUT) would have on the character and setting. In this particular case, it is considered that the proposed development in isolation or when combined with those planning applications as set out above would have a significant detrimental impact on the character and setting of the settlement to its overall detriment.

#### Residential amenity

- 5.14 From the submitted site layout all of the plots would be positioned in a manner that there would be no loss of residential amenity loss for existing or indeed future occupants. It is considered that adequate boundary treatments have been provided and that there appears to be sufficient separation distance from one another and adequate private amenity space.

#### Highway safety

- 5.15 There is no objection to the development on highway grounds. Subject to conditions it is considered that the site can accommodate the development without a loss of highway safety.

#### Planning balance

- 5.16 Consideration has been given to the benefits of providing additional homes, the social and economic gains that can be derived from new housing. This is to be weighed against the harm to the environment as set out above. The Council has a supply of land for housing that meets the housing requirements for a period in excess of 8 years; this is a substantial buffer beyond the 5 year housing land requirement set out at paragraph 47 of the NPPF. Little weight can therefore be given to the benefit of providing additional housing land. Assertions are made by the applicant that the scheme will promote health, social and cultural wellbeing but no evidence has been provided of the value of the social gain arising from the new housing, accordingly little or no weight can be given to this benefit. Therefore it is considered that the substantial environmental harm outweighs the benefits.

## **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 the village of Raskelf 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 application site is not considered to be capable of benefiting from the provisions of the Council's Interim Policy Guidance Note on housing - Development in Villages. The impact of this scheme alone, and the cumulative impact of developing the site for residential purposes combined with the 3 dwellings that has already been granted outline planning permission (16/02803/OUT) and the 4 dwellings (17/02240/OUT) as proposed, would have a significant detrimental impact on the character and setting of The Green to its overall detriment and would as a result of this extend its natural settlement limits in an unacceptable manner. The proposed development is therefore considered to be contrary to the Interim Policy Guidance Note on housing in smaller settlements and Policy CP16 and DP30 of the adopted Hambleton Local Development Framework.