

Parish: Sandhutton

Ward: Thirsk

7

Committee Date: 4 August 2022

Officer dealing: Mr Connor Harrison

Target Date: 8 July 2022

Date of extension of time (if agreed): -

22/01061/REM

Application for approval of reserved matters considering appearance, landscaping, layout and scale (in addition the size, type and mix) following outline approval 21/01762/OUT (allowed on appeal) for Application for Outline Planning Permission with some matters reserved (considering access) for a development of 5no dwellings

At: Part OS Field 0038, Foss Syke Lane, Sandhutton

For: Mr Wheatley

The proposal is presented to the planning committee as it is considered contrary to the Development Plan

1.0 Site, context and proposal

- 1.1 The site is located adjacent to a defined settlement (Sandhutton). Sandhutton is defined as a Service Village within the Local Plan.
- 1.2 The location of the proposed development is upon agricultural land on the northern perimeter of Sandhutton. The site consists of the southern part of a field which lies between the main form of the settlement and the village hall to the north. The site is located on the western side of the A167 and is to the immediate north of a Public Right of Way (PROW).
- 1.3 The proposal seeks reserved matters permission, following on from the grant of outline planning permission for five dwellings with the access approved which was allowed at appeal in January 2022. The matters to be considered as part of this application are; appearance, scale, layout and landscaping.
- 1.4 The proposed dwellings would consist of one five-bedroom property (232m²), one four-bedroom property (192m²), two three-bedroom properties (179m² and 126m²) and a two-bedroom property (106m²). The proposal does not include any provision for affordable housing or contributions.
- 1.5 Amended plans were submitted on the 19 July 2022 which altered the proposed layout, the design and sizes of the dwellings as well as the landscaping associated with the scheme.

2.0 Relevant planning history

- 2.1 21/01762/OUT - Application for Outline Planning Permission with some matters reserved (considering access and landscaping) for a development of 5no dwellings – allowed at appeal on 31 January 2022.

3.0 Relevant planning policies

As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Local Plan Policy S1 - Sustainable Development Principles
Local Plan Policy S3 - Spatial Distribution
Local Plan Policy S7: The Historic Environment
Local Plan Policy HG2 - Delivering the Right Type of Homes
Local Plan Policy E1 - Design
Local Plan Policy E2 - Amenity
Local Plan Policy E4 – Green Infrastructure
Local Plan Policy E5 - Development Affecting Heritage Assets
Local Plan Policy E7 - Hambleton's Landscapes
Local Plan Policy IC2 - Transport and Accessibility
Local Plan Policy RM1 - Water Quality and Supply
Local Plan Policy RM5 - Ground Contamination and Groundwater Pollution
Size, type and tenure of new homes SPD 2015 and 2022

4.0 Consultations

4.1 Parish Council – Object to the proposal (summarised below):

- The properties are outside the property line.
- Views will be compromised by being built upon.
- [The images on Page 20 of the Design Statement] do not relate to Sandhutton.
- How are the proposed wildflower meadows to be maintained?
- From Northallerton into the village the super-imposed image is a misrepresentation of the proposed views into the village, as there will not be the expanse of green field as indicated.
- [The waymarker] is historical and must remain in place.
- [The proposed six-foot wall] could be particularly hazardous for large agricultural vehicles and deliveries. As there are large vehicles regularly using the adjoining lane and has been highlighted by other residents too.
- Sandhutton Village is known to flood, the existing pumping station cannot cope – Sandhutton Parish Council recommend consideration is given to upgrading or installing additional infrastructure or install treatment plants.
- The West elevation of the village is predominantly Bungalows. Previous builds of two storey dwellings have been refused for this specific reason. Sandhutton Parish Council have received many comments from persons regarding this development, who have had planning refused for this reason.
- Would like a condition that permission is given to only allowing the build of Bungalows for this application.

4.2 Neighbours and Site Notice – Four objections received (summarised below):

- The Design and Access Statement Ref 2098140 page14 shows the boundary for the back gardens of Craddock Row. The proposed development extends northward beyond this point and the Appeal Decision (7) states "Nonetheless, to

my mind, the existing properties on Craddock Row to the east of the A167 represent the northern most limits of the village".

- The site boundary is shown in red; this means the northern boundary of the proposed development is beyond the boundary of Craddock Row (this includes the farmers ROW/Turning head) and exceeds the northernmost limits of the village. There are also two Landscape Buffer/Wildflower meadows shown on the plans, the west meadow having double gate access to it from unit 5 (is this for the exclusive use of unit 5?)
- The farmers Row/Turning head also has double gates giving access to land north of the boundary. Access to this land has always been from Foss Syke Lane. What is the purpose of the gates?
- Road safety needs to be addressed as it may not be possible to see approaching traffic when looking south from the driveway at Lone House due to proposed hedge/trees and further on a brick wall.
- If the 2.4 x 43m visibility splay shown on Design and Access Statement page 19 is applied to this exit onto the A167 I don't think you will see past the brick wall...Eye height of 1.05m and clear of obstructions greater than 600mm, the stated height of the brick wall is 1200mm with the piers being 1600mm both of which are above the limit.
- The brick wall in mention appears to be about 28-30m long...it will not enhance the character of the village and to my mind will look unsightly. According to the plans the reason for trees, hedges and meadows is to soften the look, I don't think a brick wall will achieve this.
- Considering the design of the properties I believe they will look out of place and perhaps they should be bungalows in keeping with the relatively new bungalow at the start of Craddock Row which is directly opposite the proposed development and does not look out of place.
- The application is for dwellings for the benefit of the community of Sandhutton, yet it is for large detached executive houses, which are not required in the village, and the position seems inconsistent. If properties are to be built on the site surely they should be of a different nature, such as low level bungalows in keeping with village aesthetics, which are meant to be protected. Or for lower cost starter homes for first time buyers, such as the younger population in the village.
- My other concern is with the proposed 1.8m wall which will severely restrict the view of people accessing the busy A167 from Foss Syke Lane.
- How and where [does] this application takes into account the line from the 3 properties to the Village Hall, as I can only see it has been ignored leaving 2 dwellings, Briardene and Sunnybank almost completely in front of the line.
- On the edge of Foss Syke Lane there is a waymarker. We would not wish to see this ancient artefact removed or damaged.
- The properties on the main road adjacent to the proposed development are all single-storey.
- The proposed 2 ½ storey dwellings are not in keeping with the neighbouring properties. Single story dwellings would be more beneficial to the aging population of the area, allowing them to remain independent and living in a rural environment.
- The proposed development is located on prime agricultural land which has grown crops for human consumption for at least the past 64 years. In the current economic climate, it does not sit comfortably that this will be lost to yet another executive housing development not benefiting local residents.

- The land adjacent to Foss Syke Lane floods all year round. There are constant problems with surface water drainage along the very busy public footpath. This often makes walking along the footpath impossible, thereby causing restrictive areas to walk within the village. Yorkshire Water have been in attendance yet again within the past few weeks as the water was spilling onto the A167 and causing further hazards to motorists.
- As the village of Sandhutton has very few affordable/smaller number of bedroom properties as requested in the Village Local plan I feel that the reserved matters application Units 3, 4 and 5 look huge in plan terms against the size of the houses proposed on the original outline application and should therefore not be approved.

- 4.3 NYCC Highways Authority – No objections. Conditions and Informative advised.
- 4.4 Contaminated Land Officer– No contamination found in information supplied as part of outline permission, the condition included in the approval remains extant. No objections.
- 4.5 Yorkshire Water – No comments. Foul and Surface Water Drainage can be dealt with via a future discharge of conditions relating to the outline permission.
- 4.6 RAF Linton-on-Ouse – No response.
- 4.7 NYCC Public Rights of Way - Our response remains the same as that submitted on 18th August 2021 with regard to the application for outline planning permission (21/01762/OUT) advising there is a Public Right of Way within or adjoining the application site boundary and providing further comments.”
- 4.8 The Ramblers Association – No response.
- 4.9 Yorkshire Wildlife Trust – No response.
- 4.10 Waste and Streetscene – Only concern is around size of bin collection compound. Doubling [the capacity] would help, it would reduce the likelihood of residents leaving receptacles on footpath areas etc. I would suggest making the compound such that access is available to all receptacles without receptacles having to be moved.
- 4.11 Rural Housing Officer – “There is a need for smaller properties across the Thirsk area. In response to the application 22/01061/REM the size and mix of the properties on the application does not reflect the need.

In addition, whilst I understand there is no affordable housing allocation required on this site (due to the application being processed prior to the adoption of the new local plan), it should be noted that any subsequent applications on adjoining land would likely trigger an affordable housing requirement.

The last time we had a property advertised in Sandhutton was March 2022, this received 15 bids and was let to 1st applicant on shortlist (Gold band).”

- 4.12 Environmental Health – No objection.

5.0 Analysis

- 5.1 The main issues to be considered are; i) whether the proposed housing mix is appropriate; ii) design and landscape impact; iii) impact on the character of the countryside; iv) impact upon the amenity of neighbouring residents and the occupiers of the proposed site and v) other matters.

Housing mix

- 5.2 Condition 5 of the Inspectors appeal decision required that the reserved matters application for this site provide for a mix in line with that of the Size, Type and Tenure of New Homes SPD, which was adopted in September 2015. Officers have taken the view that, as this decision was made prior to the adoption of the Local Plan, using the relevant policy in addition to the Housing SPD adopted in July 2022 would be appropriate and would accord with the principle behind the condition.
- 5.3 The Size, Type and Tenure of New Homes SPD allowed for housing schemes under 25 dwellings to claim a degree of exemption from adhering to the mix identified within the SHMA. This SPD is due to be replaced by the Housing SPD in July 2022. A successor document (the Housing SPD) has not yet been formally adopted but has been taken to the council's cabinet and as such is afforded significant weight.
- 5.4 The Housing SPD does not allow for such an exemption, instead taking a broader approach where the determination of a scheme's requirement to meet the desired mix is more dependent on the individual circumstances of the site. It is acknowledged that there is some demand for larger houses and that a number of factors can be appropriate and relevant when determining the acceptability of a mix (e.g. the current housing market conditions, etc.). Despite this, however, there still remains within the document an approach which emphasises the need for smaller, more modest dwellings.
- 5.5 Policy HG2(f) requires that, within a development, a range of house types be provided that reflect and respond to the existing and future needs of the district. These needs are outlined within the updated Strategic Housing Market Assessment (SHMA), which indicates that one-bedroom dwellings form 15-20% of the identified need, two-bedroom dwellings 40%, three-bedroom dwellings 35% and four-plus-bedroom dwellings 5-10%.
- 5.6 The mix achieved by the scheme, as outlined above, is broadly appropriate in terms of the number of bedrooms provided as part of the development, with more than half of the dwellings being either 2- or 3- bedrooms. Each dwelling is also NDSS compliant.
- 5.7 The range of dwellings provided - whilst NDSS compliant - are considered to be excessively large. This would run contrary to HG2(f), where house types and sizes are to be dictated by local housing need, market conditions and the ability of the site to accommodate a mix of housing. There is a district-wide aim to increase the amount of smaller dwellings and whilst this can refer to the amount of bedrooms within a given property, it is also considered that it can refer to the floorspace of a property.

- 5.8 In this regard, the mix is not considered to be appropriate and does not accord with the requirements of HG2(f) or the relevant SPDs, all of which place emphasis on the provision of smaller (and therefore more affordable) homes. There is a need for smaller properties across the Thirsk area. The Rural Housing Officer considers that the size and mix of the properties on the does not reflect the need. All of the units within the scheme are significantly (between 30-80%) larger than the values given within the NDSS for the dwelling type. Whilst extending floorspace beyond the NDSS measurements is not in itself to be discouraged (as they represent the minimum acceptable standard), there is clearly a judgement to be considered in assessing whether development is considered as more “executive”-style dwellings as opposed to smaller, more affordable units of which extent of floorspace is considered to be a reasonable judgement.
- 5.9 It is considered that the scheme therefore does not accord with Local Plan Policies S2, HG2(f) or the Size, Type and Tenure of New Homes or the Housing SPDs. It is also considered that the proposal conflicts with Condition 5 of the outline permission in that the proposal conflicts with the requirements of the Size, Type and Tenure of New Homes SPD or the successor documents.

Design and landscape impact

- 5.10 The NPPF at Paragraph 130(c) requires that developments are sympathetic to local character, including the surrounding built environment and landscape setting. This is reflected within Policies E1 and E7 of the Local Plan.
- 5.11 Policies E1(a) and E1(b) requires that developments respond positively to their context and draw inspiration from their surroundings and that they respect and contribute positively to local character, identity and distinctiveness. Whilst the proposal makes use of appropriate materials (brick and pantile) and incorporates various elements associated with the vernacular form of Sandhutton it is considered that the overall scheme does not appear to respect or reflect the form, scale, layout and design of Sandhutton in this prominent visible location at the entrance to the village adjacent the main throughfare. Rather, the combination of features from disparate parts of the settlement has resulted in a form, scale and layout that is not representative of the local character nor reflective of dwellings on the other side of the throughfare at the entrance to the village as one approaches Sandhutton.
- 5.12 The character of Sandhutton is typically conventional, and is largely typified by relatively modest terraces, with few large, detached dwellings present in the village. Whilst there are some large dwellings within the settlement, they are an exception and are not sited within the vicinity of the site. The size of the units, their form; comprising each of a number of built components/extensions in combination with a number of features which would be visually incongruous (such as the north-facing window on Unit 3 or the blank elevation facing the road on Unit 1) mean that, ultimately, the visual relationship between the development and its surroundings would not be easily understood nor reflected and it is considered that the proposal would not positively contribute to nor reflect the local character. Though the submitted amended layout of the site pays closer attention to the linear form which appears to be characteristic of development along the A167, the bulk of the development would take place to the west of the road.

- 5.13 The proposed dwellings are large in scale and mass. Though there have been clear efforts to ensure that the proposed dwellings do not overbear vertically, the desire of the scheme to provide for a sizeable floorspace for each dwelling has led to the units being rather “long” in appearance, and comprise of numerous parts and components with the units ranging between approximately 11-23m in width.
- 5.14 This maximisation of floorspace has resulted in the proposal appearing out of scale within its content. When viewed from the north-east (from the A167) the development from Unit 2 to Unit 5 would appear as an almost unbroken mass stretching westwards for approximately 54m. Whilst the amended plans have incorporated more visual gaps into the scheme, visual permeability would remain low, particularly at the western end of the development and the units would appear as a single mass. This is regarded as being contrary to its setting at the edge of Sandhutton, where the expectation would be of a more visually diffuse development to soften the impact of the built form and to give the sense of a transition between the settlement and the open countryside.
- 5.15 The proposal would be very visually prominent, particularly from the A167 and due to this prominence, would determine to a large degree how Sandhutton is experienced by individuals passing through the settlement. Policy E7 seeks to ensure that a development will “protect and enhance the distinctive character of settlement...by ensuring that the development is appropriate to, and integrates with, the character and townscape of the surrounding area”. It has already been considered above that there would be harm to the character of Sandhutton as a result of the development and the proposed landscaping plan, whilst making good use of additional planting, would not adequately mitigate this visual impact.
- 5.16 Despite this inability to mitigate the wider visual impact of the development, the landscaping scheme incorporates a reasonable buffer in order to maintain the building line of the settlement and the additional planting within the scheme, including new hedgerow and trees is considered to be appropriate to the location. The use of planting would help to soften the visual impact of the development somewhat and the sporadic siting of trees, rather than the planting of a bank, ensures that the planting does not intrude on the open quality of the surrounding landscape.
- 5.17 Despite the positive qualities of the landscaping scheme, it is considered that the visual impact on the local area and impact on wider views of the countryside would be considerable. The scale, form and massing of the proposed site would appear prominent in this edge-of-village location and the presence of a PROW to the south and south-west ensures that views from the countryside are relatively extensive. The western site boundary does not benefit from additional planting and so the visual impact would not be softened from this aspect.
- 5.18 The proposed development does not pay sufficient regard to the character, layout, form, scale and appearance of Sandhutton and is considered to be contrary to Policies S1, S5, E1, E7.

Amenity

- 5.19 The site is not within proximity of any building which is considered to be a potential source of noise, odour, light or pollution. Additionally, the proposed units are not

considered to be so close to each other as to cause overbearance or issues of privacy and each unit has adequate private amenity space. The site is sufficiently distant from neighbouring properties as to not result in any neighbour amenity concerns.

5.20 Neither Environmental Health nor the Council's Scientific Officer have any concerns regarding the site and have no objections to the scheme.

5.21 The proposal is therefore considered to accord with Policy E2.

Highway safety and PROW

5.22 There is provision of parking on site. The number of spaces that have been allocated to each dwelling are sufficient to accord with NYCC Highway's parking standards for properties in a rural area and NYCC Highways Authority did not offer any objections to the proposal when consulted. NYCC'S PROW team similarly did not register any objections to the scheme.

5.23 There has been concern expressed over the impact of the boundary treatments at the junction of Foss Syke Lane and the A167, with the presence of a wall causing concern. This wall has been removed from the updated site plan in favour of a hedge. NYCC Highways Authority have not objected to the proposal.

5.24 It is considered that the application meets the requirements of Policy IC2.

Drainage

5.25 The submission of a drainage scheme was imposed by condition as part of the outline planning permission granted by the Inspector at appeal and so this is expected to be able to be dealt with as part of any future discharge of conditions application. As such, it has not been identified as a matter of concern within this reserved matters submission. The proposal would not be considered to have an adverse impact on the quality of the water resources or surface/groundwater in the area and is therefore can be considered to be consistent with Policies RM1 and RM5.

Green infrastructure

5.26 The site is within the Swale Green Corridor. The proposal will have a mild positive impact on the green infrastructure – the field is currently in agricultural use and so its ecological value is relatively limited whereas the proposed landscape buffer and planting would provide a small increase in biodiversity and viable habitats. As such, the proposal is consistent with Policy E4.

5.27 It should be noted that one half of the proposed landscape buffer has an access that is solely linked to Unit 5. As such, this could be regarded as forming part of the garden area associated with this property and so any grant of planning permission should seek to maintain its landscape value.

Heritage matters

- 5.28 On the south-west corner of the site there is an old milestone, adjacent to the highway. Whilst Historic England do not wish to list the structure (as it has moved from its original position approximately 600m north of Sandhutton) it still retains some heritage value and is considered to be a Non-Designated Heritage Asset.
- 5.29 The proposal does not include the removal of the milepost and it can be seen on the amended proposed site plan. The importance of the heritage asset's setting relates more to its proximity to the settlements named on its structure and its position next to the highway. As it is not proposed to be moved from its current position, the historic context and setting is considered to be largely unaffected. Policy E5 is therefore considered to have been met by the proposal.

Planning balance

- 5.30 It is considered that the proposal does not comply with S1, S3, S5, HG2, E1 and E7 or the relevant sections of the NPPF. Additionally, it does not meet the requirements of Size, Type and Tenure or Housing SPDs.
- 5.31 It is held that the proposal would not reflect the character and appearance of the settlement by virtue of the proposed design, form, scale and massing of the development. Furthermore, it would not deliver dwellings of an appropriate size and type as required by the Local Plan and the supplementary planning documents.
- 5.32 However, the proposal is considered to accord with the requirements of Policies S7, E2, IC2, RM1, RM5, E4 and E5 as well as the relevant sections of the NPPF. There is considered to be no negative amenity impact to either proposed occupiers or neighbouring properties, adequate parking provision would be provided. There would be no impact on water quality and a mild improvement on the current green infrastructure.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s):-
1. The proposal does not meet the requirements of Policies S1, S3, S5, HG2, E1 and E7 or the relevant sections of the NPPF in that it does not accord with the established character and appearance of the village by virtue of its form, design, scale and layout. Development should relate to its context and setting and should not result in a detrimental impact to its surroundings. It is considered that the large scale and massing of the proposed development constitutes inappropriate development in the visually prominent location adjacent the countryside and main throughfare at the entrance to the village.
 2. The proposal does not meet the requirements of Policy HG2(f) or of the Size, Type and Tenure or Housing SPDs as the proposed units do not represent a sufficiently appropriate mix of floorspaces and the scheme does not sufficiently provide for smaller homes within the District and the Thirsk area, the need for which is identified in the Size, Type and Tenure of New Homes SPD and in the Council's own assessments (the SHMA).