

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2017/0254/FL

Proposal: Construction of 1 no. open market dwelling with existing access

Location: Land adjacent to 4 Echo Hill, Sleights

Decision Date: 03 July 2017

Consultations

Parish – No objections with the following observations:

- The mature trees along the southern boundary should be maintained;
- Details of the height needs careful consideration to ensure that the dwelling fits in with the adjacent properties.

Highways – No objection. Echo Hill serves as the vehicular access to approximately 11 dwellings and the cricket club. It is not a publicly maintainable highway but it is classed as a public right of way footpath. It is the policy of NYCC as Highway Authority that "any street which is being developed to provide principal means of access to six or more properties should be capable of being laid out to the minimum standards such that once constructed it can be adopted as a highway maintainable at the public expense". The design standard for the site is the NYCC Residential Highway Design Guide. The private road leading up Echo Hill is not laid out to this minimum standard and it would be difficult to bring it up to these standards due to its poor alignment, insufficient width, poor condition, unsuitable gradient and lack of footways, lighting and adequate turning area. The development is located far enough back from the boundary of the publicly maintainable highway that it is not expected to have any significant impact on the highway network. However, the residents of this area should be aware that they will not have a right to receive certain services compared with if the road was adopted as public highway.

Environment Agency –

Yorkshire Water – No objection.

Environmental Health Officer – No objection.

Site Notice/Advertisement Expiry Date – 28 June 2017

Others – Mr & Mrs A D Hodgson, Ashness, Echo Hill, Sleights – Wish to make the following comments:

- The road serving the properties is also access to our fields;
- The access road is not in a good condition and not suitable for more vehicles;
- Most properties at Echo Hill have hard surfaced the rear garden which has increased surface water run-off causing further erosion of the road.

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3/7/17

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Director of Planning's Recommendation

Refuse for the following reason:

1.	The site is not considered to form a small infill gap within a continuously built up frontage in the main built up area of Sleights, and consequently constitutes housing development in the open countryside for which there is no proven essential need. If permitted the proposal would consolidate this pocket of sporadic development in the countryside and would give the locality a much more built up, urban appearance which would be harmful to the character and appearance of the landscape of this part of the National Park. As such the proposal is contrary to Core Policies A and J of the Core Strategy and Development Policies Document and the National Planning Policy Framework which seek to confine new housing development to the main built up areas of the settlements of the National Park and restrict new housing in the open countryside unless there are special circumstances. No such circumstances exist in this case.
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Background

This application relates to the side garden to a semi-detached property located within a small group of houses occupying an elevated position to the east of the settlement of Sleights.

Planning permission is sought for the erection of a detached four-bedroomed dwelling to be constructed in local stone under a clay pantile roof. The dwelling would face south-west as with the adjacent properties although vehicular access would be provided from Echo Hill to the ear of the site where are present there is a garage.

Planning permission was refused in 2006 for the erection of a dwelling in the side garden of No. 4 Echo Hill. That application was considered under Policies H3, H4 and T7 of the previous Local Plan and was refused for the following reasons:


1. *The site lies outside the settlement of Sleights/lburndale and does not constitute an infill plot within the built up area of a settlement. If permitted this development would consolidate this pocket of sporadic development in the countryside to the detriment of the character of the environment and landscape of the North York Moors National Park. As such the proposal is contrary to Policy H3 of the North York Moors Local Plan which states that development will only be permitted on infill plots or larger sites within the existing built up areas of (inter alia) Sleights/lburndale.*
2. *The proposed development will generate additional traffic on the unadopted access road at Lowdale which is wholly inadequate in terms of construction, design and layout to cater for increased vehicular movements. The proposal is therefore contrary to Policy T7 of the North York Moors Local Plan which states that the proposed developments either individually or cumulatively must be of a scale which the adjacent road network has the capacity to serve without detriment to highway safety or to the environmental characteristics of the locality.*

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are considered to be Core Policy A (Delivering National Park Purposes and Sustainable Development), B (Spatial Strategy) and J (Housing) along with Development Policy 3 (Design).

In addition National Parks have the highest status of protection in relation to landscape and scenic beauty and great weight is to be afforded to conserving their landscape and scenic beauty, as set out in paragraph 115 of the National Planning Policy Framework.

The main issues are considered to be whether the site fulfils the definition of an infill plot lying within the main built up area of Sleights and if not, whether there are any special circumstances which would justify development in the open countryside.

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Core Policy J states that a mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. It goes on to state that this will be delivered by, inter alia, locating all open market housing in the main built up area of the Service Villages, of which Sleights is one. The policy is explicit as regards the location of new dwellings and states that they must be within the main built up area of Sleights. Echo Hill however has always been, and continues to be, regarded as lying out with the main built up confines of Sleights and therefore in open countryside where the policy with regard to new housing is much more restrictive.

It is recognised that whilst the site does form a gap within a row of six houses, this cluster of properties occupies an elevated position divorced from the main built up area of Sleights, with a large field and the cricket ground separating the group from the built up edge of Sleights village. Whilst there are properties to either side of the site, there is no development to the north-east or south-west. Consequently the site cannot be reasonably considered to be a small gap within a continuously built up frontage in the main built up area of the settlement. This approach has also been confirmed in a previous planning appeal decisions (although not directly in relation to this site) where the Planning Inspector stated that "there is no dispute that Echo Hill is outside the settlement of Sleights/Iburndale Lane. From the evidence and my site inspection, I am also satisfied that Echo Hill is not on the edge of the village."

In view of the above, the site is considered to be in the open countryside and in such cases, new build dwellings have to be justified to serve the essential long term needs of persons working in agriculture, forestry or other essential land management activities. It is both national and local planning policy to protect the landscape of the National Park for its own sake and for the enjoyment of future generations; the landscape includes its settlements and hamlets. As no justification has been submitted to demonstrate an essential need for the accommodation for agriculture, forestry or other essential land management activities, the proposal conflicts with Core Policy J and as a result would not be acceptable having regard to development plan policies in relation to the location of new housing.

Notwithstanding the fact that the site lies out with the main built up area of Sleights, it is also important to recognise the amenity value of open spaces or gaps between properties and Core Policy J advises that not every gap will be appropriate for development. The site forms an attractive side garden area which helps this pocket of sporadic development at Echo Hill to play a transitional role between the main built up area of Sleights and the surrounding countryside. If such gaps were consolidated it would give the locality a much more built up, urban appearance which would be harmful to the character and appearance of the landscape of this part of the National Park. To that end the site is considered to make a positive contribution to the special qualities of the National Park.

In view of the above it is considered that there has been no change in circumstances since the previous refusal of planning permission to warrant a different decision being reached and refusal of the application is recommended.

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Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

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