

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Grosmont	App Num. NYM/2011/0090/FL
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Proposal: Construction of 1 no. dwelling

Location: Land adjacent Hollins Farm, Eskdaleside, Grosmont

Applicant: Mr Paul Garrett, Hollins Farm, Eskdaleside, Grosmont, Whitby, North Yorkshire, YO22 5PS

Agent: BHD Partnership, Airy Hill Manor, Waterstead Lane, Whitby, North Yorkshire, YO21 1QB

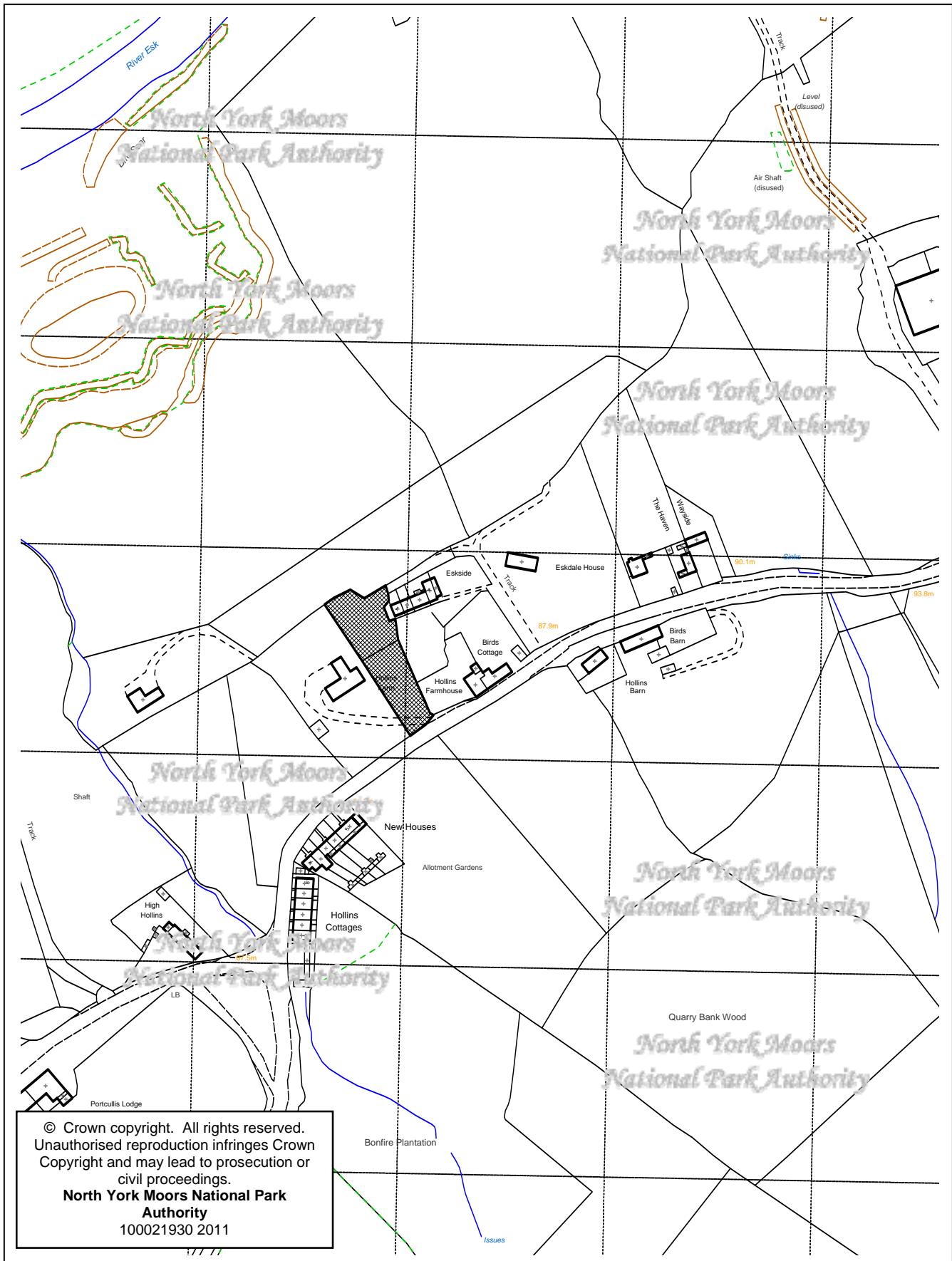
Date for Decision: 19 April 2011

Grid Ref: NZ 483372 505537

Director of Planning's Recommendation

Refusal for the following reasons:

1. The site lies outside the main built up part of the settlement of Grosmont and does not constitute an infill plot within the built up area of a settlement. If permitted this development would result in a loss of this currently open area and extend and consolidate this pocket of loose knit sporadic development at the edge of the village having an urbanising impact on this part of Eskdaleside, to the detriment of the character of the environment and landscape of this part of the North York Moors National Park. As such the proposal is contrary to Core Policy J of the NYM Local Development Framework which states that development will only be permitted on infill plots consisting of an otherwise continuously built up frontage within the settlement of Grosmont and which do not harm the form and character of the settlement.
2. The Local Planning Authority considers that as the site lies outside of the built-up limits of the settlement of Grosmont, residential development would only be considered acceptable where it is proven essential for farming, forestry or other essential land management facilities, or for the development of 100% affordable housing as an exception to normal policy where sites are within or adjacent to the main built up area of Other Villages [to which Grosmont is one]. In this case the Local Planning Authority does not consider that any special circumstances have been put forward to justify the erection of a dwelling on this site and therefore the proposal is contrary to the provisions of PPS7 and Core Policies J and K of the NYM Local Development Framework.
3. If approved, the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on the edge of settlement locations which would cumulatively pose a major threat to the character, special qualities and distinctiveness of the more rural villages of the National Park and therefore have a detrimental impact the wider landscape of the Park, contrary to the aims of Core Policy B of the NYM Local Development Framework.




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**North York Moors National Park
 Authority**
 100021930 2011



North York Moors National Park Authority
 The Old Vicarage
 Bondgate
 Helmsley
 York
 YO62 5BP
 Tel: 01439 770657

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Scale: 1:2500 



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Consultations

Parish - Fully support the application. This application is considered to be within the village boundary on infill land. The property will not be seen from the road. This application is for a property to enable a young local couple to remain in the village and raise a family.

Highways - Recommend refusal on grounds of unsatisfactory visibility on access.

Revised recommendation - No objections subject to a condition relating to visibility splays.

Yorkshire Water - No comments.

Environmental Health Officer - No objections.

Advertisement Expiry Date - 20 March 2011.

Others - Grahame Coates, 13 Elm Terrace, Otley, West Yorkshire - Support the application to build adjacent to my property as the proposal sites the house sensitively in terms of the adjacent dwellings and landscape. The attractive structure of the house can only enhance the appearance of the site and will not change the character of this part of the village. The proposal is also vital as it will provide accommodation for a young family - the local area will only be sustained if local families have the opportunity to remain. I am convinced that in this case the aesthetic, economic, sound and environmental interests coincide and that the arguments in favour of granting permission are overwhelming.

Further Comments - Reiterate my support for the application, which by allowing a young local family to live locally would strengthen the social fabric of the neighbourhood without any aesthetic or environmental costs for the area. The proposed dwelling represents a tiny expansion of an existing settlement which is part of Grosmont village.

Mr Smith, Hollins Farmhouse, Eskdaleside - No objections.

Prof Christopher Chapple, Royal Hallamshire Hospital, Sheffield - I am the owner of the adjacent cottage and I strongly support the application.

Ian R Smith, Hollins Farmhouse, Eskdaleside - No objections.

An anonymous petition has been received on behalf of residents in support of the application. In summary their comments are as follows:

Have viewed the plans and would comment that arguments in favour are overwhelming:

- The site is within the village being within the 30mph signs. Believe that the 27 dwellings at the top of Grosmont Bank are part of the main built up part of the village.
- The site is situated between two dwellings on a piece of garden and therefore believe this to be infill.
- Paul Garrett has grown up in the village and works in the National Park. Opportunity for a local person to keep a sense of community and bring a family into a village over run by holiday homes.
- Proposal will have no adverse impact on character or environmental qualities of area, in fact high quality design may be beneficial.

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Background

Hollins Farm comprises a detached dwelling located in a loose cluster of development outside the main built up part of the village of Grosmont, on Eskdaleside. Planning permission was originally granted for an agricultural workers dwelling in 1978 as the site was considered to be in open countryside. A Certificate of Lawful Use for the property was granted in 1996 as the property had not been occupied as an agricultural workers dwelling for more than 10 years. The application was deferred from April Planning Committee in order that Members could undertake a site visit.

It is set down a hill, at a lower level than the road with a row of cottages set further down the hill to the north east and a pair of semi detached dwellings located adjacent to the highway at the top of the slope to the south east. The nearest dwellings are approximately 30 metres away (cottage to north east) and 46 metres away (house to south east).

This application seeks full planning permission to construct a detached dwelling adjacent to Hollins Farm, approximately 6 metres to the north west.

The dwelling would be of stone and pantile construction with timber sash windows and would measure 12.2 metres wide by 8.8 metres wide with an open sided front porch measuring approximately 2.8 metres by 1.5 metres and a utility/entrance porch measuring 4.9 metres by 2 metres, by approximately 4.5 metres high to the eaves and 7.8 metres to the ridge.

Access to the site would be created off the existing driveway to Hollins Farm.

In support of the application, the applicant's agent states that:

"No village limits are included in the Local Development Framework, each case is assessed on its own merit. We consider the site is within the village of Grosmont and in policy terms the erection of one local needs dwelling here appears to be logical infill within the perceived settlement limits, within the building line of neighbouring residential properties. It will help consolidate services in the settlement and provide a further choice of new houses; it is intended that the applicant (who currently lives with his grandmother at Hollins Farm and works at Boulby Potash mine), will occupy the house with his future wife. The building would be of a high standard of design. The Authority has allowed infill sites in villages of a variety of plot widths provided they reflect plot widths in the vicinity; in this case they are similarly wide. Feel the definition of "main built up area" is too restrictive and flies in the face of PPS7. There are 27 dwellings in Eskdaleside and the site is within the 30mph zone and so feel this does come within any definition of "main built up area", it is the top part of Grosmont and the only real place where there are any infill sites for local occupancy housing".

The applicant's agent has submitted a revised plan to show the removal of vegetation.

Main Issues

Policy Context

Planning Policy Statement 7 (Sustainable Development in Rural Areas) identifies that in rural areas most new development should be focussed in or near to Local Service Centres, although it is necessary to provide for some new housing to meet identified local need in Other Villages. The Local Development Framework identifies that Grosmont forms an 'Other' Village and therefore new housing should be restricted to meet local needs and affordable housing. The policy (PPS7) also states that Local Planning Authorities should strictly control new house building (including single dwellings) in the countryside, away from established settlements.

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Policy Context (continued)

Core Policy A of the NYM Local Development Framework seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the quality of life of local residents and supports the character of a settlement.

Core Policy B of the NYM Local Development Framework sets out the strategy to meet the needs of people in the National Park based upon improving the sustainability of local communities by improving and consolidating existing services and facilities and includes a Settlement Hierarchy of Local Service Centres, Service Villages, Local Service Villages, Other Villages and the Open Countryside. This Core Policy sets out that in the open countryside housing development will only be permitted if it is related to an essential need to live in the countryside, with the conversion of traditional buildings to support economic uses, and development to meet the needs of farming being one of the few exceptions where new development might be acceptable.

Core Policy J of the NYM Local Development Framework relates to housing within the National Park and states that the creation of housing within the main built up area of the Local Service Villages and Other Villages (Grosmont forms an Other Village) will be required to support the development of local needs housing located on infill sites. The policy defines infill sites as being "a small gap within a continuously built up frontage within the main built up area of the settlement", which can accommodate no more than one dwelling and requires all applicants to identify the proposed occupant and their needs 'up front' in order for the Local Planning Authority to assess their need for a new dwelling.

Development Policy 3 of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings; that the standards of design are high; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

Material Considerations

In keeping with many other villages within the National Park, Grosmont has a focal "main built up area" and a number of outlying ribbons of sporadic development. The purpose of including "main built up area" in the Local Development Framework was to avoid the consolidation of the outlying sporadic gaps.

The site is well outside the "main built up area" of the village of Grosmont and within an outlying cluster of development to the east of the village. For the purposes of the housing policies in the Local Development Framework it would be treated as Open Countryside where Core Policies B and J only allow for new housing where it would meet an essential need to live in the countryside or where it relates to the conversion of a traditional rural building for local occupancy letting. No agricultural need has been put forward to justify a dwelling in this location. The agents disagree with the Officer assessment of whether the site is within the "main built up area" of Grosmont. The applicant's agent argues that the site could be developed and forms a legitimate infill plot for residential purposes given its siting within a loose group of housing on the outskirts of Grosmont, leaving the land in question suitable to accommodate new housing. The Local Planning Authority however is of the view that as this loose settlement on Eskdaleside is separated from the "main built up area" of the village by some half a kilometre and given its position set back from the road frontage, it is independent of the village both in visual and settlement terms.

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Material Considerations (continued)

Therefore the proposed development site is not considered to be within a continuously built up frontage within the “main built up area” of the village and as such is not considered to be a development site as stated or envisaged by Core Policy J of the NYM Local Development Framework.

As such, the proposal is contrary to the housing policies in the Core Strategy and Development Policies. Furthermore it would consolidate an isolated pocket of development in Open Countryside, giving it a more developed and urban appearance which would be harmful to the landscape of this part of the Park and contrary to Core Policy A.

Local Needs

Core Policy J also includes the criteria for the occupancy of a local needs dwelling where the period of current residency within the Park is now five years or has a need to live within the Park for their employment. An additional requirement is that the need is demonstrated at the time of application by identifying the likely occupants of the proposed dwelling. In this instance the applicant has indicated details of a proposed occupant who would satisfy the local occupancy condition.

Other Possibilities

Development Policy 19 seeks to permit annexe accommodation in the form of extensions to dwellings. As an alternative to the current proposal, there is ample space at the side of the existing dwelling to reconstruct an annexe and it is considered that this possibility should be pursued.

Design and Materials

The proposed dwelling would be of stone and pantile construction, so would be in keeping in the character of the area, in terms of materials and design.

Impact on Neighbouring Properties

Due to the distance between the proposed dwelling and the adjacent properties to the north east and south east, it is not considered that the proposal would have a detrimental impact on the amenities of the occupiers of these properties, in terms of either overlooking or overbearing impact.

Access and Parking

The proposed development would use the existing access which serves Hollins Farm. This existing access is considered to be unsatisfactory as inadequate sight lines are provided. This access is longstanding and following the initial views of the Highway Officer, the applicants have now agreed to removal of vegetation to improve visibility splays. The proposed development would result in an increased use of the access by vehicles leaving and entering the proposed dwelling. With the proposed vegetation removal, improvements to the access to help mitigate the increase in usage, the Highway Authority have withdrawn their objection and now recommend conditions be imposed on any approval.

Previous Appeals Relating to Similar Proposals

In 2004 an application seeking permission for a new dwelling in a side garden at Raven Lea, Station Road, Ravenscar was refused and dismissed at appeal. The Inspector considered that the appeal turned on whether the site lay within or outside the main body of the settlement of Ravenscar.

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Previous Appeals Relating to Similar Proposals (continued)

He concluded that although close to Raven Hall Hotel, the site fell outside the main body of the village, instead it lay in an outlying sporadic group of dwellings in the wider village and in policy terms was open countryside, consequently the appeal was dismissed.

Another application for a similar development in Hawsker was also refused and dismissed at appeal. Again it was considered that despite being close to the village school, church and a nursing home, this formed a sporadic group, clearly set apart from the main body of the village as an outlier and therefore the proposal was judged against open countryside policies.

Recommendation

The site is not considered to form an infill plot as defined by Core Policy J and as such development of this site would consolidate sporadic development in the Open Countryside resulting in the erosion of the rural character of the area. Furthermore, the siting of the proposed dwelling which is set well behind the road frontage of the village is considered to undermine the applicant's arguments that the development represents a continuation of the village street and comprises infill development.

Furthermore, the proposed access would have a detrimental impact on highway safety.

In view of the above, refusal is recommended.