

Appeal Decision

Site visit made on 7 November 2016

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 November 2016

Appeal Ref: APP/G2713/W/16/3156969

Catton Road, Skipton on Swale, North Yorkshire YO7 4SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Brian Wise against the decision of Hambleton District Council.
 - The application Ref 15/02750/OUT, dated 8 December 2015, was refused by notice dated 18 April 2016.
 - The development proposed is a new dwelling and detached garage with access way.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was made in outline with all matters of detail except access reserved for future consideration. The appellant has submitted with the appeal location and site plans and a plan regarding impact details and outline site elevation. I have had regard to these in determining the appeal.

Main Issues

3. The main issues for the appeal are:
 - Whether the appeal site is in a sustainable location, having regard to national and local policies relating to the location of new housing development; and
 - The effect of the proposed development on the character and appearance of the area.

Reasons

Sustainable location

4. Policy CP4 of the Hambleton Local Development Framework Development Plan Document Core Strategy 2007 (Core Strategy) sets out that development outside of development limits will only be supported when an exceptional case can be made in terms of Core Strategy Policies CP1 and CP2 and where certain criteria are met. The appeal site does not fall within a defined settlement. Paragraph 55 of the National Planning Policy Framework (the Framework) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the viability of rural communities such as development in one village may support services in a village nearby. To update its policy following the publication of the Framework, the Council, in
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2015, prepared Interim Policy Guidance (IPG) in respect of small scale housing development in villages. The IPG supports 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 certain defined criteria are met. The Council has also produced a revised settlement hierarchy.

5. Skipton on Swale is included in the updated settlement hierarchy as an 'Other Settlement'. The IPG states that 'Other Settlements' are unlikely to be considered sustainable unless they form part of a cluster with other villages and that development in villages with no or few services or without convenient access to services in a nearby settlement, will not be considered sustainable. The IPG also indicates that settlements should be linked to each other by convenient public transport, walking or cycling, where the combined settlements offer a range of services contributing to a sustainable community. The IPG also sets out that a cluster is unlikely to constitute a sustainable community if there are few services or if there are significant distances between settlements.
6. The appeal site is situated at Skipton Swale, a small settlement which I saw at my site visit to have few facilities. I also noted that there are no footways along the A61 outside of the village and my observations in respect of traffic volumes and speeds accord with the evidence of the Council regarding the nature of the road. Consequently, I do not consider that the A61 appears to offer convenient access to services and facilities elsewhere other than by private car.
7. During my site visit, I also visited the villages of Sandhutton and Carlton Miniott and saw the petrol station and shop and public house at Busby Stoop on the A61. I have also considered the appellants comments regarding the proximity of Allanbrooke Barracks, Baldersby and Thirsk. However, given the distances between the appeal site and these places and the limited opportunities for sustainable travel, future occupiers of the proposed dwelling are likely to be reliant upon the private car for day to day needs. Consequently, whilst the appeal proposal may accord with some of the criteria as set out in the IPG such as being small in scale, I have not been convinced that Skipton on Swale forms a sustainable community with a cluster of villages. I have considered the appellants comments regarding the sustainable credentials of the proposed development and the Framework policies referenced. This however has not led me to a different conclusion.
8. To conclude on this matter, I do not consider that the appeal site is situated in a sustainable location for new housing development. Of the policies cited by the Council, the appeal proposal therefore conflicts with Core Strategy CP4 and Core Strategy Policy CP2 which is concerned with minimising the need to travel. It also conflicts with Hambleton Local Development Framework Development Policies Development Plan Document 2008 (DPD) Policy DP9 which is concerned with development outside of development limits. Additionally, the proposal also fails to accord with the Framework and the guidance set out in the IPG.

Character and appearance

9. Skipton Swale is a small settlement which is arranged along the A61 and the roads leading from it. I saw during my site visit that there are distinct groups

of buildings and areas of open frontage which give the settlement a scattered appearance. I also saw that there is some variety in the design, appearance and scale of buildings.

10. The appeal proposal is for a single dwelling, situated on land adjacent to and at a lower level to the property known as 'The Anvils', which forms part of a small group of buildings near the junction of Catton Road and the A61. I saw at my site visit that the appeal site consists of an open grassed area, over which there are views to the adjacent fields and countryside beyond. Opposite the appeal site across Catton Road are situated several substantial dwellings with enclosed grounds.
11. The development of a dwelling on the appeal site would extend an existing small cluster of buildings and in that regard, would not be out of character in principle with the existing built up form of the village. Consequently, the appeal proposal would comply with criterion 2 of the IPG in this regard.
12. Although the appeal site is fenced off from the adjoining agricultural land, I consider that given its open character and appearance, it relates to the agricultural land, rather than the adjacent dwellings situated on higher land and those opposite across Catton Road. I have considered the appellants comments that the proposed dwelling could be of a bungalow type with rooms in the roof and that the proposed garage could be positioned differently. I also note that the submitted viewpoint photographs show that from some viewpoints, the proposed dwelling would be seen in the context of the existing development. However, I conclude that the development of the proposed dwelling would change the open character and appearance of the appeal site which would be reinforced by any boundary planting, consequently giving rise to harm to the open character and appearance of the countryside.
13. The appeal proposal would therefore give rise to harm to the character and appearance of the area, contrary to DPD Policy DP10 which is concerned with the form and character of settlements. The proposal also fails to accord with the IPG, which in criterion 4 states that development should have no detrimental impact on the open character and appearance of the surrounding countryside.

Other matters

14. I have taken into consideration the appellants comments regarding the potential effect of the proposed development on the living conditions of the occupiers of 'The Anvils'. I also note the comments regarding amenity space provision and that the dwelling would be of a traditional design. These matters do not however lead me to a different conclusion.
15. I have also taken into consideration the comments that planning permission has been granted for new housing development in the village in recent times, including that adjacent to Westholme and also at land adjacent to Manor House Walk, Burneston. However, I have been provided with few details of these schemes and consequently I am unable to determine if the developments or circumstances are similar to the proposal before me and whether they provide examples of what should inevitably be followed given the harm found.

Conclusions

16. Paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. In this case the appeal proposal would give rise to some benefits in terms of an additional dwelling in the village, increasing population and housing supply and choice. The appellant has stated that a payment would be required to fund community infrastructure. However, I do not consider that these benefits significantly and demonstrably outweigh the harm identified in respect of the sustainability of the location and the effects on the character and appearance of the area.
17. For the above reasons and having considered all matters raised, I consider that the appeal should be dismissed.

Philip Lewis

INSPECTOR