



Appeal Decision

Site visit made on 20 June 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 10 August 2017

Appeal Ref: APP/G2713/W/17/3172805

Scotts Garth, Sutton under Whitestonecliffe Village Street, Sutton under Whitestonecliffe YO7 2PR

- 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 Adrian Todd against the decision of Hambleton District Council.
 - The application Ref 16/02279/OUT, dated 12 October 2016, was refused by notice dated 18 January 2017.
 - The development proposed is the erection of 3 dwellinghouses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with some matters reserved. Notwithstanding the details set out on the planning application form, which indicated that matters relating to appearance, landscaping and layout were to be considered, both the appellant and the Council have subsequently confirmed that all matters other than access and scale are reserved for future consideration. I have dealt with the appeal on that basis and have treated the drawings showing elevations and sketch layout (other than the access) as illustrative.

Main Issue

3. The main issue is whether or not, having regard to the development plan, national planning policy and other material considerations, the proposed development is consistent with the principles of sustainable development.

Reasons

4. The development plan consists of the Hambleton Local Development Framework Core Strategy 2007 (CS) and the Hambleton Local Development Framework Development Policies 2008 (DP). The Council also produced an Interim Policy Guidance note (IPG) in 2015 as a supplement to policies in the development plan in order to reflect the provisions of the National Planning Policy Framework (the Framework). The IPG sets out the Council's approach to housing development beyond the main service centres, service villages and secondary villages, introduces the concept of "cluster villages" to reflect elements of paragraph 55 of the Framework and updates the settlement

hierarchy set out in CS policy CP4 based upon an updated audit of village services and facilities¹.

5. Sutton under Whitestonecliff is a broadly linear village, stretching along the A170 as it heads eastwards away from Thirsk heading towards Sutton Bank and beyond. The appeal site is located at the eastern end of the village alongside the A170 at a slight kink in its alignment as it heads towards the foot of Sutton Bank. Despite the site's location just beyond the village's development limits, existing residential development adjoins its northern and western boundaries and, on the opposite side of the main road, is partially overlapped by the residential property at Stone Lea.
6. Having regard to the provisions of the IPG, the appeal site seems to me to be a logical and small scale incremental addition to the built form of the village. Although I share the Council's concern regarding the relationship of the proposed third of three dwellings to the village, given the slight degree of separation from the other two dwellings, I am satisfied that such matters could be adequately and satisfactorily resolved at the reserved matters stage.
7. However, whilst I do not consider the proposed development to be isolated from the village in physical or visual terms, it would nonetheless be in a location isolated from services and facilities. Although Sutton under Whitestonecliffe was identified in the CS settlement hierarchy as a secondary settlement, the more recent IPG and audit of village services re-categorised it as an 'other settlement'. I acknowledge that there is some small scale local employment within the village, and that the village and its rural hinterland support both the agricultural and tourism sectors. However, that is equally true of many rural areas and does not, to my mind, make such settlements suitable locations for the type of sustainable development envisaged by the development plan, the IPG or the Framework. From my observation of the village, I see no reason to take exception to the Council's approach, or their view of Sutton under Whitestonecliffe in terms of its limited services and facilities.
8. The IPG does, however, recognise the Framework's approach to groups of smaller villages where development in one may support services in another. The IPG refers to such groups as 'cluster villages'.
9. The main road through the village (A170) provides a direct link to services, facilities and public transport links within Thirsk. However, I observed it to be a busy road at the time of my visit to the site. Although there is some dispute over the exact distances involved, and how and from where they are measured, I am satisfied that the village is some distance from Thirsk. Moreover, without street lighting, pavements or indeed, particularly accommodating grass verges, alongside the A170 it does not strike me as being a particular enticing prospect to walk along it to gain access to facilities in Thirsk.
10. The nature of the A170 and the traffic along it would also discourage cycling as a means of accessing facilities in Thirsk. I note the appellant's suggestion that the road is popular with cyclists, drawing on the presence of Sutton Bank just to the east of the village and the inclusion of the village in the route of a previous edition of the Tour de Yorkshire cycle race. However, the challenge of

¹ Audit of Village Services & the Rural Settlement Hierarchy – September 2014

Sutton Bank to keen cyclists and the closed roads of a formal cycle race present a very different context to a local resident cycling to Thirsk to access day-to-day services and facilities.

11. I am advised that, other than school transport, the village is not served by public transport. Nor is it particularly well related to other villages in the surrounding countryside, none of which provide, either individually or collectively, the range of services that could allow Sutton under Whitestonecliffe to be considered as part of an IPG cluster of villages.
12. Thus, whilst I consider the site to be well related in physical and visual terms to the existing built form and character of Sutton under Whitestonecliffe, it would be located more generally in an area isolated from easy access by a means of travel options to day-to-day services and facilities. There are, of course, a range of facilities in Thirsk, and the appellant seeks to draw on the relationship between the village and Thirsk in terms of a range of services, including health provision. However, for the reasons I have set out, I do not consider the site, or indeed Sutton under Whitestonecliff to be particularly well linked to Thirsk in terms of accessibility and there would be limited alternatives to the private vehicle in terms of accessing those services and facilities.
13. The proposal would contribute to housing supply, and would provide some limited economic and social benefit, thereby contributing to the economic and social dimensions of sustainable development set out in the Framework. However such contributions would be limited given the limited scale of the proposed development. For the reasons set out above however, I conclude that the proposal would fail to provide a suitable location for development having regard to access to everyday services and facilities and find conflict with CS policies CP1, CP2 and CP4 and DP policy DP9 of the CS and guidance within the IPG. These seek, amongst other things, to ensure that development is sustainable, to minimise the need to travel by private car by directing development to suitable locations. The proposal would also fail to achieve the sustainable form of development sought by the Framework.

Other Matters

14. Although both parties refer to the site as lying within the Sutton under Whitestonecliffe Conservation Area, the evidence before me shows that the conservation area lies to the west of the appeal site and does not extend as far to the east, along the main road, as the appeal site. I have already concluded that the proposed development would be physically and visually well related to the built form and character of the village as a whole. For those reasons, and given the position of the site relative to the conservation area, I am also satisfied that the proposal would preserve the setting of the conservation area, the nearest point of which is some distance further west along the main road.
15. The site also adjoins the grade II listed Chapel House. Whilst the Council did not appear to consider the effect of the proposal upon the setting of the listed building in their officer report, or cite this as a reason for refusal, I am statutorily required² to have special regard to the desirability of preserving the building or its setting.

² Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990

16. Chapel House is set within a small triangular-shaped plot, largely enclosed on three sides by a low stone boundary wall. The building itself is located relatively tightly to these boundary walls, beyond which runs a narrow track with further residential properties to the north and southwest. The illustrative plans referred to in the appellant's statement of case suggest how provision could be made along the site's northern boundary for a landscaped buffer area to respect the 'outlook, amenity and privacy' of occupiers of the adjacent listed building. As matters relating to layout and appearance are reserved, I am satisfied that, with appropriate safeguards in place within a scheme for consideration at the reserved matters stage, the proposal would preserve the setting of the listed building. The Council did not find harm in this respect, and neither do I, but this does not alter my conclusions in respect of the main issue.
17. I have noted the absence of objection to the proposal in terms of living conditions of occupiers of nearby properties and, with conditions, on highways grounds. These though, are only neutral effects and are not sufficient for the proposal to be considered the type of sustainable development envisaged by the development plan, the IPG or the Framework. Having concluded that conclusion, I have not considered matters relating to the public right of way any further.

Conclusion

18. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR