

YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	Parish:	Airton Scosthrop
Date:	18 April 2023	Officer:	Katherine Wood
Applicant:	Mr Charles Richardson	Application No:	C/01/83A
Site Address:	Land south of John Brown Cottage, Airton		
Proposal:	Full planning permission for construction of 3 no. local occupancy dwellings with associated access and parking (amended description)		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

APPLICATION SITE

2. The site forms a small corner of a much larger field, known as Hallgarth, in the centre of Airton village. The site is positioned adjacent to the Malham Road, the main route through Airton and Malhamdale. To the north of the site is a beck which separates the site from John Brown Cottage. Opposite the site to the west is a row of terrace properties and the junction with Settle Road.

PROPOSAL

3. This application seeks full planning permission for the construction of three local occupancy dwellings with associated access and parking. This is an amendment from the originally submitted scheme which sought permission for four dwellings. Access to the development would be via a new access road to the immediate south of the site.

RELEVANT PLANNING HISTORY

4. The following applications are relevant:

C/01/83 - Full planning permission for the erection of four 2 bedroomed semi-detached dwellinghouses was withdrawn on the 13th April 2015.

CONSULTATIONS

5. The comments of statutory and non-statutory consultees are summarized below:

Airton Parish Meeting

Objects to the proposed development (original and as amended). In summary;

- Question the need for, and long-term future of, local occupancy dwellings
- The siting of the dwellings, including the site extends beyond the development boundary
- The site encroaches onto designated important open space
- Dangerous access with poor visibility, next to the post box and bus stop. The access will conflict with the field access. Concern regarding construction traffic. Lack of parking spaces
- Impact on the character of the village
- Uncertainty over landscaping and bin storage
- Need for archaeological/historical survey work.

Scosthrop Parish Meeting

None received.

Wildlife Conservation Officer

No objection.

Fire Officer – Craven

No objection/observation.

Craven District Council Environmental Health

There are no known contaminated land implications regarding the proposed development. Recommend conditions and informatives in relation to the timing of noisy construction works and the dust control.

Craven District Council Building Control

All work is to be carried out, to ensure compliance with the Building Regulations 2010.

North Yorkshire County Council Highways

(Response to the original proposal for 4 dwellings) Visibility splays are acceptable. Turning for vehicles is adequate however parking is required for 8 vehicles.

YDNPA Senior Historic Environment Officer

Previous archaeological assessment has identified features within the proposed development area. Field evaluation recommended in advance of determination.

PUBLIC RESPONSES

6. Advertised by site notice dated 26th October 2022 and neighbour notification. The amended proposal was readvertised by site notice and neighbour notification dated 23rd March 2023. Three letters of objection have been received in response to the first advertisement commenting on the following (in summary);
 - Road safety and poor visibility on to a busy road
 - Lack of parking
 - Impact on the amenity of the neighbouring property as a result of the scale and proximity
 - Stability of the land
 - Drainage issues and potential for pollution of the beck
 - Impact on wildlife
7. The amendments to the application are currently being readvertised and Members will be updated on any additional responses received prior to the Committee Meeting.

ASSESSMENT

Key Issues:

- Planning policy
- Impact on the character and appearance of the area
- Residential amenity
- Highway considerations
- Archaeology
- Ecology
- Sustainability
- Parish Council comments
- Equality Act

PLANNING POLICY

8. The majority of the site forms the allocated site 'South of John Brown' (site reference 49) and is listed in Appendix 4 of the Yorkshire Dales Local Plan (2015-2030) as a site for new housing development, with a notional capacity for 4 houses. Policy C1 of the Local Plan (2015-2030) states that on sites of up to five dwellings, new housing will be restricted to local occupancy in accordance with Appendix 5 of the Local Plan. The proposed development of the site for 3 local occupancy dwellings therefore accords in principle with policy C1. The applicant has confirmed that they will enter into a Section 106 legal agreement to restrict the occupancy of the dwellings to local occupancy.
9. Two small sections of the site lie outside of the site allocation; a narrow strip to the eastern boundary which will form part of the rear gardens of the dwellings and a strip of land to the south of the allocation which will form the access road into the site. The dwellings themselves will remain wholly within the site allocation. It is considered that, given the proximity to John Brown Cottage and the level changes to the northern edge, the developable area of the allocated site is limited in size to accommodate three modest size dwellings, together with sufficient parking and a safe access point. As such the modest increase in the size of the site to accommodate proportionate size gardens and the access road is considered to be reasonable and will not impact significantly on the character of the remaining field.
10. The allocated site lies within a much larger field known as Hall Garth, which is designated in the Local Plan as important open space. The minor incursions into the surrounding land would therefore be considered

against policy C13 of the Local Plan which states that development proposals will only be permitted where they will not result in the loss of, or significantly harm, the quality or function of the important open space. In this case, all of Hall Garth is designated as important open space other than the allocated site, although that site is indistinguishable from the remaining field in terms of its contribution to the character of the surrounding area. This therefore suggests that the remaining land was partly designated as important open space so as to avoid further encroachment beyond a development on the allocated site. However, the designated important open space is extensive and it is considered that the minor extension of the site, which would result in a workable layout with a safer access point, would not significantly decrease the contribution the field makes overall to the character and appearance of the surrounding landscape and would therefore not significantly harm the quality or function of the important open space.

IMPACT ON CHARACTER AND APPEARANCE OF THE AREA

11. Paragraph 176 of the National Planning Policy Framework (2021) states that 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks'. The site forms part of a much larger field (Hall Garth) of open undulating pastureland which contributes significantly to the landscape setting of Airton village. Whilst the development would encroach into the open field, there are other examples of traditional terraces adjacent to and projecting into Hall Garth which in part give the village its intrinsic rural character.
12. The proposal as amended is for a terrace of three modest dwellings to be constructed in natural stone and slate to reflect the predominant character of the village. The dwellings will face towards the road in a linear pattern similar to the houses opposite and elsewhere in the village. The design of the buildings has been amended to alter the window detail to reflect the predominant style of traditional windows in the village. The porches are to be lean-to or a dual pitch which will provide some variation yet be vernacular in style. The houses would be set back from the road with parking to the front and modest garden areas. Hedging and tree planting within the site, together with tree planting in the field adjacent will help to assimilate the site within the field and provide a landscape context for the development. Whilst the roadside wall would need to be lowered to achieve highway visibility, it is proposed to top the lowered wall with iron railings. This is already the treatment of the wall further to the south of the site and so, in this context, would fit with the character of the village. It is therefore considered that the development will integrate visually and functionally with the wider settlement. The design of the scheme overall will respect the wider character of the area in accordance with policy SP4 of the Local Plan.

RESIDENTIAL AMENITY

13. To the north of the site is John Brown Cottage, which is positioned at a lower level to the field, separated by a steep bank and a beck. John Brown Cottage has side windows which look towards the banking and the site. The original submission for four houses brought the development close to the northern boundary of the site which would have resulted in a dwelling perched at the top of the bank and less than 6 metres from John Brown Cottage and the private garden to the side and rear of that property. It is considered this would have had an overbearing impact on the neighbouring property. Following negotiation, the most northerly dwelling has been omitted from the application which results in the nearest dwelling being 12 metres at the nearest point. Given the level change and the position of the proposed terrace set further back than John Brown Cottage, it is considered this would significantly alleviate the impact on the amenity of occupants of John Brown Cottage.
14. The proposed dwellings would face towards the road and sit face to face with a row of terrace properties opposite; 1-3 Mount View. They will be over 23 meters distance and separated by the road, parking area with tree planting and gardens. There should be no adverse impact on the amenity of these properties.
15. It is therefore considered that there will be sufficient distance from neighbouring properties to avoid any significant loss of amenity to residential amenity, in accordance with policy SP4 n) of the Local Plan.

HIGHWAY CONSIDERATIONS

16. The proposed development would be accessed to the south via the existing field access which exits the site on a bend in the road and at the peak of the hill. The roadside walls are proposed to be lowered and iron railings fixed to the top in order to achieve visibility of 2m x 45m, similar to the treatment of the wall further south of the site. North Yorkshire County Council as the local highway authority considers that the proposed visibility is acceptable on this basis. The concerns of residents and Airton Parish Meeting have been discussed directly with the highway officer who has further confirmed that the proposed development has an acceptable access.
17. Parking originally proposed was insufficient to serve four dwellings. However, the amended scheme for 3 dwellings has adequate parking provision of two spaces per dwelling.
18. It is therefore considered that the proposed development would not prejudice highway safety or cause unacceptable levels of traffic on the local road network and would have an appropriate access and parking provision in accordance with policy SP4 g) and k) of the Local Plan.

ARCHAEOLOGY

19. Previous investigation within and adjacent to this area demonstrated that the site could have some archaeological significance. Further archaeological investigation has been undertaken including field evaluation using trial trenching. Whilst the results of the evaluation have not yet been submitted, it is understood that there is no evidence that would preclude the development of the site. However, further recording work may be required depending on the results of the survey. It is anticipated that the survey report that will detail the findings is to be submitted prior to the Committee Meeting and Members will be updated in advance of any changes to the recommended archaeological condition.

ECOLOGY

20. The land appears to be agriculturally improved grassland that is low in biodiversity value and the Authority's Wildlife Conservation Officer has no objection to the proposed development. There are no concerns regarding the proximity to the adjacent beck. Policy W2 of the Local Plan requires all new development that would have an impact on biodiversity to provide a proportionate on-site contribution to wildlife enhancement. Such measures are expected to include multiple nesting boxes or bat roosts, boundary and landscaping enhancements. Given the size of the development some of the landscaping enhancements, such as native tree planting, would need to be accommodated within the adjoining field, within the ownership of the applicant. Although indicative tree planting is shown on the drawings, a condition is proposed, requiring the detail of landscape and biodiversity enhancement measures to be submitted and which should demonstrate an appropriate uplift in biodiversity net gain, either in accordance with the requirements as set out in policy W2, Table 7 of the Local Plan or as calculated using in the Defra Biodiversity Metric.

SUSTAINABILITY

21. The applicant has been asked to provide details of sustainability measures such as any renewable energy technologies they are proposing to incorporate in the design of the dwellings. Members will be updated on the applicant's response prior to the meeting.

PARISH COUNCIL COMMENTS

22. Airton Parish Meeting has raised concerns on behalf of the residents they have consulted including; highway safety and parking, need for the development and the future security of the local occupancy restriction, impact

on important open space and the size of the site, impact on the character of the village, uncertainty over landscaping and bin storage and the potential for archaeology. The majority of these issues have been addressed individually in the above report.

23. With regard to the need for local occupancy dwellings, policy C1 does not require evidence of need in support of such applications. However, the Authority has a housing target for the local plan area of an annual average of 55 dwellings per annum. The National Park Strategic Market Housing Assessment (2019) indicates a need for at least 50 houses per year, with the highest level of need in the Craven part of the National Park (40%).
24. The Parish Meeting has also queried the future of the occupancy restriction. However, it would be secured through a legal obligation which would remain a charge on the property in perpetuity.
25. Indicative landscaping has been shown on the plans, however, a detailed landscaping scheme and bin storage details can be required by a condition.

EQUALITY ACT

26. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.
27. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

CONCLUSION

28. The proposal would provide three modest size local occupancy dwellings on an allocated site, in accordance with policy C1 of the Local Plan (2015). The amendments to reduce the number of dwellings to three would ensure the development fits well in the street scene and would not have an overbearing impact on the neighbouring dwellings. The dwellings have been amended to introduce more variation in the design to reflect the simple traditional terrace properties in the village. The layout of the site includes front and rear gardens and landscaping within and beyond the site. There is sufficient parking provision, and the proposed access road would have adequate visibility onto the highway and as such would not impact on highway safety. It is therefore considered that the proposal is acceptable and would accord with policies SP1, SP2, SP3, SP4, C1 and W2 of the Local Plan 2015, the Yorkshire Dales Design Guide 2017 and the guidance contained in the National Planning Policy Framework 2021.

RECOMMENDATION

29. It is recommended that planning permission is GRANTED subject to a section 106 agreement to restrict the occupancy of the three dwellings to local occupancy in accordance with the criteria set out in the Local Plan, and conditions to be based on:
 - time limit;
 - accordance with approved details;
 - archaeological recording during works;
 - topographical survey/datum points and cross-sections to define height of buildings;
 - construction times and contaminated land conditions;
 - approval of design details (including materials, doors and windows, surfacing etc);
 - hard and soft landscaping (including boundary treatment, other means of enclosure, surfacing, footpaths, hedge and tree planting);

- biodiversity enhancement implementation;
- highway access and parking conditions;
- drainage and surface water details approval and implementation;
- provision of bin storage areas including waste/recycling storage;
- control of external lighting; and
- removal of permitted development rights