

**Item Number:** 10  
**Application No:** 15/00620/FUL  
**Parish:** Cropton Parish Council  
**Appn. Type:** Full Application  
**Applicant:** Mr John Standen  
**Proposal:** Erection of detached 2 bedroom dwelling together with formation of 5no. parking spaces for shared use with Woodmans Cottage.  
**Location:** Land To The Rear Of Woodmans Cottage High Street Cropton Pickering North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 6 August 2015  
**Overall Expiry Date:** 20 July 2015  
**Case Officer:** Helen Bloomer **Ext:** 328

#### CONSULTATIONS:

**Sustainable Places Team (Yorkshire Area)** No detailed comments to make  
**Land Use Planning** No views received to date  
**Parish Council** No views received to date  
**Highways North Yorkshire** Recommend conditions

**Neighbour responses:** Mrs Janet Mckay, Dr David McHugh,

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#### SITE:

The application site is the rear amenity space of Woodman's Cottage, whilst the host dwelling is within the Development Limits, the application site the subject of the application is not. The site is within The Fringe of the Moors Area of High Landscape Value.

A Public Right of Way (Back Lane) runs along the eastern boundary, north – south.

#### PROPOSAL:

Planning approval is being sought for the erection of a two bedroom detached bungalow with the formation of a separate amenity space and five parking spaces, which would be shared with the existing Woodman's Cottage, along with the existing vehicle access. The material pallet would match that of the existing dwellinghouse

#### HISTORY:

3/31/67/OA Erection of a dwelling and garage at land adjacent to Woodmans Cottage. Refused. Appeal Dismissed (1992)

14/01412/PREAPP Erection of a single storey dwelling. Principle not supported.

#### APPRAISAL:

The main considerations in assessing this application are:

- i) Principle
- ii) Character and Form
- iii) Neighbour Amenity
- iv) Highways

## v) Other Issues

### Principle

In accordance with S38(6) of the Planning Compulsory Purchase Act 2004 planning applications must be considered against the adopted Development Plan unless material planning considerations indicate otherwise. The adopted Development Plan is the Ryedale Local Plan - Local Plan Strategy, adopted 5 September 2013 and the 'saved' development limits shown on the proposals map of the Ryedale Local Plan adopted 2002. Policy SP1 (General Location of Development and Settlement Hierarchy) directs development to the Principle Towns of Malton and Norton, then to Market Towns, Service Villages, new residential development within 'Other Villages' such as Cropton would only be supported in principle when it is part of a continually built up frontage and would be subject to a Local Needs Occupancy condition in line with Policy SP21 (Occupancy Restrictions).

However the application site is outside of the adopted development limits and is therefore in open countryside in the context of the development plan. Policy SP2 (Delivery and Distribution of New Housing) only supports the principle of a new build dwellings in the locations, where it is necessary to support the land based economy where an essential need for residential development within that location can be justified. The proposed development is not required for the aforementioned purpose. The applicant who currently resides in Woodman's Cottage is a long standing member of the community and states that he requires the bungalow due to health reasons. Whilst Officers sympathise with the applicants situation and note the support for the applicant from members of the public, this is not a material planning consideration. It is Officers opinion therefore that the development would be contrary to the aims of the Ryedale Plan - Local Plan Strategy.

Prior to this application an earlier application was made for the erection of a bungalow and garage on the site. Planning permission was refused and the applicant appealed the decision. The Inspector dismissed the appeal. He did so for a number of reasons including that the proposal was not compliant with the adopted policies, the reason being that the development was not within a location where development is required to stimulate growth and it did not form part of a otherwise continually built up frontage and that it would constitute backland development, which from Back Lane would be extremely prominent.

The dwelling being considered by members is smaller in scale and is appraised under the more recent Ryedale Plan - Local Plan Strategy (adopted September 2013). The policy considerations remain similar to the earlier adopted plan which the Inspector referred to when he dismissed the appeal. A recommendation other than that of refusal would clearly be contrary to the aims of the development plan, with no material planning considerations identified to justify the departure from policy.

### Character and Form

Policy SP16 (Design) of the Ryedale Plan – Local Plan Strategy requires new development to respect the context provided by its surroundings including the grain of settlements, influenced by street blocks, plot sizes, orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings. Whilst the design of the proposed development (subject to the relevant conditions regarding materials is considered to be acceptable), it is not considered that siting of a dwellinghouse with the amenity space of an existing dwelling respects the grain of the settlement. Historically (an agricultural dependant village) the majority of dwellings have long amenity spaces which stretch back from Main Street to the Back Lane. Policy SP13 (Landscape) seeks new development proposals to contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences. The proposed siting of a dwellinghouse and associated parking area would undoubtedly through the process of back land development urbanise the historically rural character of this part of Cropton.

The impact on the landscape setting was a significant factor in the Inspector dismissing the earlier appeal. The development is therefore considered to be contrary to the aims of Policy SP13 (Landscapes) and SP16 (Design).

### Neighbour Amenity

Policy SP20 (Generic Development management Issues) of the Ryedale Plan - Local Plan Strategy expects that new development would not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of the ... 'use, location and proximity to neighbouring uses'. The National Planning Policy Framework Paragraph 17 seeks to secure ... a good standard of amenity for all existing and future occupants of land and buildings.

The site is in an area currently used for residential purposes. Nevertheless the comings and goings associated with two dwellings will be greater than for a single dwelling. The occupiers of Moor View are likely to be the most effected. This is given the proposed siting of the car parking spaces which would not only serve the proposed new dwelling but the existing Woodman's Cottage running a large proportion of their eastern boundary to their amenity area. The access road would run the entirety of Moor Views northern boundary and amenity space. It is noted that the occupiers have not objected to the proposed development. Nevertheless it is a requirement of both SP20 and Paragraph 17 of the NPPF to consider the amenity of current and future occupiers. Officers consider the associated coming and goings associated with the vehicle movements of two dwelling on the boundaries of Moor View amenity space would adversely effect the amenity of current and future occupiers to such an extent that the development would be contrary to both local and national planning policy.

It is not considered that the development would result in a loss of privacy, light or have an overbearing presence on the amenity of the neighbouring properties. If approval was to be granted a landscaping condition would be advised to ensure a clear separation between the applicants existing property and that of the proposed.

### Highways

Subject to the relevant conditions North Yorkshire County Council Highway Authority has raised no objection to the proposed development.

### **Other Issues**

#### Drainage and Foul Waste

The treatment of foul waste would be dealt with via the means of a package treatment plant; this is in line with Government Guidance when it is not possible to connect to mains sewers. If Members are minded to approve the application it Officers recommendation that a condition is attached requiring the details of the treatment plant to be submitted to and agreed in writing by the LPA. Surface water will be gathered in underground rainwater harvesting header tank, again if the members are minded to approve Officers would recommend a condition requiring further details and a percolation test.

#### Trees

There is a number of existing trees particularly along the northern boundary of the site. If planning permission is granted it is recommended that a scheme of protection be submitted to and agreed in writing to ensure that none of the trees are damaged as a result of the development.

## Consultation Responses

At the time of writing one letter of support had been received in relation to the Councils consultation letters. A summary of the letter has been included below. The full version can be seen on the Councils website.

- i. The linear form of Cropton is a façade with many dwellings having substantial buildings and extensions to the rear and therefore would not be setting a precedent.
- ii. Would be hardly visible if at all
- iii. The applicants are long standing residents of Cropton and as their existing property no longer meets the needs, the proposed dwelling would meet their needs and would allow them to remain part of the community.

It is also noted that a number of letters of support were submitted at the time the application was received as supporting information.

The Environment Agency has no observations to make.

At the time of writing no other written representations had been received. In consideration of the above the recommendation is one of refusal.

### **RECOMMENDATION:                      Refusal**

- 1            The proposed dwelling is located outside of the Development Limits of Cropton. No exceptional circumstances have been submitted to justify the erection of this dwelling in open countryside. The proposal is therefore considered to be contrary to Policy SP1 of the adopted Ryedale Local Plan Strategy and contrary to the National Planning Policy Framework.
- 2            The proposed dwelling by virtue of its siting would fail to reinforce the village form of Cropton through the creation of additional backland development. This type of development fails to reinforce local distinctiveness and appear visually intrusive within the Area of High Landscape Value, The proposal is therefore considered to be contrary to Policies SP13, SP16 and SP20 of the adopted Ryedale Local Plan Strategy and contrary to the National Planning Policy Framework.
- 3            The proposed no.5 space car parking area and access road by virtue of its close proximity to the neighbouring property (Moor View) (and the level of noise and disturbance arising from such use), will not provide for a satisfactory level of residential amenity for the future occupiers. The proposed development is considered therefore to be contrary to the Policy SP20 of the Ryedale Plan - Local Plan Strategy and Paragraph 17 of the National Planning Policy Framework.

### **Background Papers:**

Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties