

10. FULL APPLICATION - ERECTION OF LOCAL NEEDS AFFORDABLE DWELLING - LAND SOUTH WEST OF PARK FARM, LONGSTONE LANE, ASHFORD-IN-THE-WATER (NP/DDD/0418/0282, 419444/370344, P5901, 05/04/2018)

APPLICANT: MISS BROCKLEHURST & MR FURNESS

1. Site and Surroundings

- 1.1. The application site is an agricultural field located to the north of the village of Ashford-in-the-Water, outside of the existing settlement. The site is on a south facing hillside, which is part of a wider hillside that slopes into a valley to the north of the village. The site is bounded by post and rail fencing to the west and south, with limestone walling to other boundaries.
- 1.2. There are neighbouring dwellings to both the east and west, and these properties are surrounded by open fields to all sides.
- 1.3. A highway runs adjacent to the site to the south.
- 1.4. The site is outside of any designated conservation area.

2. Proposal

- 2.1. The erection of a local needs affordable dwelling. This would be a detached two storey house.

3. RECOMMENDATION

That the application be REFUSED for the following reasons:

- 1. The provision of new building affordable housing outside of settlements and in the open countryside is contrary to Development Plan policy LH1.**
- 2. The location of the dwelling would further suburbanise the appearance of the landscape in this location, harming its character, contrary to Development Plan policies L1 and LC4.**

4. Key Issues

- Whether the provision of a new build affordable dwelling in the proposed location is acceptable in principle
- Whether there is an identified need for the affordable dwelling proposed, and whether the proposed occupant would meet the local occupancy criteria
- Whether the proposed dwelling is of a size and design that would remain affordable in perpetuity
- Whether the design of the dwelling would conserve the character and appearance of the built environment
- Whether the proposed dwelling would conserve the character and appearance of the landscape

5. Relevant Planning History

- 5.1. No relevant planning history on this site.

6. Consultations

- 6.1. Derbyshire County Council - Highways – No objection subject to conditions securing visibility splays, parking and turning areas, and bin storage areas.
- 6.2. Derbyshire Dales District Council – No response at time of writing.
- 6.3. Ashford in the Water Parish Council – Support the application because it has been made by a local couple who wish to remain in the village and who already have an established business in the village, which they wish to retain and develop.

7. Representations

- 7.1. 21 letters of representation have been received. Two object to the proposal, 19 support it.
- 7.2. The grounds for objection are:
 - The dwellinghouse is positioned too close to the neighbour of Field Gate and would affect their privacy and aspect
 - The proposed use of limestone for the walling and slate for the roof would be out of keeping with adjacent buildings
 - The property could be connected to mains sewerage instead of a package treatment plant
- 7.3. The grounds for support are:
 - The development would have no/an acceptable landscape impact
 - It is important for young local people to be able to afford to remain living in the area
 - The property is of an appropriate type and design
 - The location is a suitable 'infill' plot
 - The dwelling would allow people running a local business that contributes to the village to remain in the area
 - There is a business need for the applicants to live in the village

8. Policies

- 8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:
 - Conserve and enhance the natural beauty, wildlife and cultural heritage
 - Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF.
- 8.3. Paragraph 55 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or where the building is of exceptional quality or innovative design. This last provision includes the need for the development to significantly enhance its immediate setting and to be sensitive to the defining characteristics of the local area.
- 8.4. Para 115 of the NPPF states that *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'*

Development Plan policies

- 8.5. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.6. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.7. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.8. Policy HC1 sets out that provision will not be made for housing solely to meet open market demand and housing land will not be allocated. New housing can be accepted exceptionally where it would meet identified local need for affordable homes.

- 8.9. Policy LH1 permits new build affordable housing on an exceptional basis in or on the edge of named settlements provided that there is a proven need for the dwelling, the need cannot be met within the existing housing stock, the intended occupants meet the requirements of the National Park Authority's local occupancy criteria (policy LH2), and the dwelling will be affordable by size and type to local people on low or moderate incomes and will remain so in perpetuity. It also requires development to meet the requirements of Policy LC4.
- 8.10. Policy LH2 exceptionally permits new housing for a person with a proven need in accordance with Policy LH1 provided that the dwelling will be occupied by a person meeting at least one of the following criteria:
- a person (and his or her dependents) who has a minimum period of 10 years' permanent residence in the parish or an adjoining parish and is currently living in accommodation which is overcrowded or otherwise unsatisfactory;
 - a person (and his or her dependents) who has a minimum period of 10 years permanent residence in the parish or an adjoining parish and is forming a household for the first time;
 - a person not now resident in the parish but with a proven need and a strong local connection with the parish, including a period of residence of 10 years or more within the last 20 years;
 - a person who has an essential need to live close to another person who has a minimum of 10 years' residence in the parish, the essential need arising from age or infirmity;
 - a person who has an essential functional need to live close to his or her work in the parish, or an adjoining parish within the National Park.
- 8.11. Policy LC4 of the Local Plan states that where development is acceptable in principle it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area.
- 8.12. Policy LT11 requires that the design and number of parking spaces associated with a development respects the valued characteristics of the area.
- 8.13. Policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development.
- 8.14. The Authority's adopted design guidance documents 'Design Guide' and 'Building Design Guide' are further material considerations.
- 8.15. Emerging Development Management policy DMH1 also addresses new affordable housing and stipulates that the maximum gross internal floor space for affordable dwellings shall not exceed 97m². This policy is not yet adopted but, given the advanced stage of the emerging policy document, it can be given some weight.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, L1

Relevant Local Plan (LP) policies: LH1, LH2, LC4, LT11, LT18

9. Assessment

Principle of providing affordable dwellings

- 9.1. Planning policy LH1 only permits the erection of new build affordable housing in or on the edge of settlements named in policy DS1 of the Development Plan. Ashford-in-the-Water is one such named settlement. The policy to only permit new affordable housing within named

settlements is required in order to protect the National Park's valued characteristics.

- 9.2. The application advises that, in their view, the site is located on the northern edge of the built development of the village of Ashford.
- 9.3. However, the village is over 250m away to the south. The intervening land is given over to fields. There are several dwellings adjacent to the application site, but these are equally separated from the village. The presence of dwellings does not equate to a settlement in policy terms. If the Authority was to accept that this site was at the edge of the settlement it would create an unacceptable precedent for any other development proposed in the fields which lie between the site and the edge of Ashford in the Water.
- 9.4. Therefore, the application site is not on the edge of the village and for the purposes of planning policy the proposal represents the construction of a new affordable dwelling in the open countryside.
- 9.5. This is contrary to policy LH1 of the Development Plan.

Housing need and local qualification

- 9.6. The applicant is a local resident, who has lived all her life in Ashford. They previously made an application for affordable housing in the locality, albeit on a different site, in 2014. At the time of that application she was living with her parents at Highfield Farm, which was not conducive to the requirements and needs of two families. The application also explained that the house is held on an agricultural tenancy by her father, so would not be available for her to live in as an independent household when her father retired. That application also advised that the applicant had looked for many years for alternative accommodation in and around Ashford, but had been unable to find anything that she could afford on her low income – with her only earnings coming from the small business she operated. It was accepted at that time that the applicant was in housing need and met the local occupancy requirements, but the application was ultimately refused on other grounds (landscape, heritage impacts, and access).
- 9.7. The applicant's agent advises in the current submission that there has been no change in the applicant's circumstances in the intervening period and as a result Officers accept that in terms of her local qualification and current living circumstances, the applicant meets the terms of the policies LH1 and LH2.
- 9.8. Policy LH1 also requires demonstration that the housing need cannot be met within the existing housing stock. Results of a local property search showing properties currently on the market and sales over previous years in the parish and adjoining parishes have been submitted in this regard. The applicant has advised the most that they can afford to spend on a property. On this basis, the search results show that all of the properties for sale or sold in the locality in recent years would be unaffordable to the applicant; the closest would be a two bed flat without parking in Bakewell and a 3 bed house in Ashford which were within £15,000 and £20,000 of the applicant's budget. Whilst close to the applicants maximum budget, they have advised that these remained unaffordable to them. On this basis it is accepted that the applicants housing need cannot be met within the existing housing stock, and the application therefore complies with policy LH1 in this regard.

Affordability of the proposed housing

- 9.9. Build costs for the house as revised (which has involved reducing the size from 102m² to 96m²) have been estimated to be £150,000, and a professional valuation estimated that the property as originally sized (i.e. at 102m²) would be worth £160,000 once constructed, with the local occupancy restriction in place.
- 9.10. Whilst the property has been slightly reduced in size since the valuation was provided, the

price still offers sufficient certainty that the property would remain more affordable to those on low or moderate incomes in perpetuity, as required by policy LH1.

- 9.11. As noted above, the property has been reduced in size since the application was first submitted. Officers advised that with a proposed internal floorspace of over 100m² the dwelling would have been larger than the 87m² that current policy guidance stipulates for affordable dwellings, and larger than the upper limit imposed by emerging planning policy – 97m². The proposed dwelling has since been reduced to 96m². Given that the emerging policy document is at an advanced stage of development it is considered reasonable to give significant weight to this revised upper threshold and, on that basis, it is accepted that the size of the dwelling as revised is sufficiently restricted to help ensure its ongoing affordability as required by planning policy.

Design

- 9.12. The dwelling would be a two storey detached dwellinghouse. It is of simple form and design, closely following the local building traditions. Whilst differing in character and materials from the more modern buildings it would sit alongside, it would better conserve the wider built environment of the area than these existing properties.
- 9.13. The dwelling would therefore conserve the character and appearance of the built environment in the locality, as required by policy LC4.
- 9.14. There are a number of minor details that would require revision or confirmation if the application was to be approved; notably exploring whether the property could be connected to mains drainage rather than a package treatment plant, stepping the garage in from the front and rear walls of the house, and agreeing details of finishes, but these are relatively minor matters that could be addressed by planning conditions in the event of approval.

Landscape impacts

- 9.15. The dwelling would be positioned in a field, in line with the dwellings that occupy the plots adjacent to each side. As set out above, the site is outside of the village and is in open countryside. Policy LH1 requires new affordable dwellings to be located within named settlements as housing developments such as the one proposed are unlikely to be able to be accommodated in the open countryside without causing harm to the National Park's valued characteristics.
- 9.16. The main public views of the site are from the south – from the immediately adjacent highway and from Greaves Lane some 150m south of the application site. In the views from Greaves Lane the existing properties to the west are screened or broken up by existing mature planting. Those immediately adjacent to the application plot are more clearly viewed however, and appear incongruous in their open countryside location. The gap between the two neighbouring properties and the single storey height of the easternmost dwelling does serve to reduce their prominence however.
- 9.17. Infilling the plot in question with a two storey dwelling, and with the longest elevation facing the most prominent viewpoints, would result in a much more defined block of built development in this location that would further suburbanise this area of countryside, harming its rural character contrary to policies L1 and LC4.

Amenity

- 9.18. There are residential neighbours to each side of the application site. The plot is large enough though that the proposed dwelling would be set sufficiently far from neighbouring boundaries and in such a position so as to not be oppressive or overbearing to these properties.
- 9.19. The position of the building and orientation of openings would also ensure that the neighbouring houses are not overlooked to any significant degree, other than front gardens,

and it would not otherwise result in any loss of privacy to the occupiers.

9.20. The amenity impacts of the development are therefore acceptable.

Highway Considerations

9.21. Whilst individual parking spaces have not been marked, the site would have ample space for parking and turning provision, subject to agreeing the site layout.

9.22. Exit visibility to the west of the existing access is limited due to a curve in the road, and the 43m visibility splay recommended by the highway authority could not be achieved to this side. However, this is an existing residential access and the highway authority do note in their response that it is considered to be suitable to accommodate the additional traffic associated with a further dwelling. On this basis it is not considered that refusal of the application on grounds of highway safety would be sound, and there are therefore no objections to the proposal in this regard.

9.23. Conditions addressing the provision of bin storage and parking layout have also been recommended by the highway authority, and could be secured by conditions if the application was to be approved.

10. Conclusion

10.1. Whilst the applicant's housing need and local qualification are acknowledged, the provision of new build affordable housing in this open countryside location is unacceptable in principle, conflicting with the Authority's housing policies.

10.2. Further, the siting of the development would have adverse impacts on the character and appearance of the landscape. The applicant's housing need and local qualification do not outweigh the harm that would be caused to the valued characteristics of the National Park.

10.3. Based on the above assessment the application is found to conflict with policies LH1 and LC4 of the Development Plan. Having also taken all other material considerations into account, the application is accordingly recommended for refusal.

11. Human Rights

11.1. None arising.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

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