

5. FULL APPLICATION – ERECTION OF AN AFFORDABLE LOCAL NEEDS DWELLING, WORKS OF HARD AND SOFT LANDSCAPING AND OTHER WORKS INCIDENTAL TO THE PROPOSALS AT LITTON DALE, LITTON (NP/DDD/1220/1217, AM)

APPLICANT: MR RICHARD BAKER

Summary

1. The site is an agricultural field to the west of Litton in Litton Dale.
2. The application proposes an affordable house to be first occupied by the applicant.
3. The application does not demonstrate that the proposed occupants have a local qualification or that there is a proven need for the dwelling. The development would harm the landscape and character of the area.
4. The application is recommended for refusal.

Site and Surroundings

5. The site is located in an agricultural field in Litton Dale south west of Litton and on the south of the road.
6. The dale rises up away from the road and is open pasture bounded by drystone walling. The nearest neighbouring properties are Dale Cottages to the north east and Dale House across the road to the North.
7. There is an existing field access within the site. A public footpath runs up the dale along the eastern boundary of the site.

Proposal

8. The application is for the erection of a 4 bedroom affordable house on the site to be first occupied by the applicant.
9. The dwelling would be sited to the north of the field and adjacent to the highway and the existing farm access would be extended to provide an access and driveway.
10. The dwelling would be two storeys and constructed from natural limestone and blue slate with timber windows and doors and gritstone details. The dwelling would have a gross internal floor area of 97m².

RECOMMENDATION:

That the application be REFUSED for the following reasons

1. **The application does not demonstrate that the development would meet eligible local needs for affordable housing. The application therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, Development Management policies DMH1 and DMH2 and the National Planning Policy Framework.**

- 2. The proposed site is not well related to the built form of Litton Dale and would introduce development into Litton Dale in a manner that would harm the character of the area and valued landscape character contrary to Core Strategy policies GSP1, GSP3 and L1 Development Management policies DMC3 and DMC4 and the National Planning Policy Framework.**

Key Issues

- Whether there is justification for the proposed local needs affordable house and whether the proposed house is in accordance with policies HC1, DMH1 and DMH2
- The design and landscape impact of the proposed development.

History

11. None relevant.

Consultations

Parish Council – Object to the development for the following reasons:

The application is for a completely new development on an elevated green field, on a bend and facing the main road, having an undesirable and prominent effect on the scenic nature of the valley.

There are green fields, all of which are agricultural, running from this site down to the main road. Allowing this development could set a precedent enabling development all along this side of the road.

Development will extend the boundary of the village, being ribbon development along the narrow, restricted valley. The new houses on the opposite side of the development were all built on brown field sites where the buildings had fallen into disrepair.

The applicant stated in a letter to the Parish Council that he needed the new house to protect his farm buildings from theft but these buildings cannot be seen from the proposed house as they are on the other side of a hill and a considerable distance from it.

We would further contend that a new build four-bedroom detached house is not what could be described as meeting the 'affordable housing' criteria.

Finally, the existing trees that may partly screen the development are suffering from Ash Dieback and will need to be felled which will increase the obtrusive nature of the development.

Highway Authority – Makes the following comments.

The closest bus stops is at the east of the site which is within maximum walking distance of 400m on Litton Dale. I have concerns regarding the pedestrian accessibility to the site as there are no continuous formal footway links to the bus stops and pedestrian need to walk either on highway margin/verge or on Litton Dale Road where the margin/verge not available. However, this is an existing situation and not unlike other residential sites on Litton Dale Road. Therefore I would not object to the progression of the application on this basis; however, I would want my concerns to be noted.

Litton Dale is a classified road subject to 30mph speed limit fronting the site in both directions. However, the speed limit changes close to the site to the national speed limit in the westbound direction. I note that dimensioned visibility splays plan has not been provided in support of this application and I would request that the applicant should demonstrate visibility splays of 2.4m x 43m in both directions within which there should be no obstructions greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level. A revised plan to this effect should be provided.

Whilst a site visit has not been undertaken as noted above, from a desktop study, it appears approximately 3.5m highway margin/verge exist at the western direction of the site and approximately 3m highway margin/verge exists at the eastern direction which could provide set back distance of 2.4m from the nearside carriageway.

I further note that the proposed access emerge in an angle to the highway due to which vehicles emerging from the site or entering the proposed site would struggle to negotiate the proposed layout (geometry) which may result vehicles reversing on the classified road or resulting in vehicles emerging not having full extent of visibility which may lead to potential danger and inconvenience to other highway and interfere with the safe and efficient movement of traffic on the adjoining highway. The access should be designed in such a way that the proposed access meet the classified road at right angles. A revised drawing incorporating the above comments should be submitted for review.

Suggested location of bins has been shown. This plan should be supported by the waste collection procedure for the Highway Authority review.

District Council – No response to date.

Natural England – No objection.

Representations

12. We have received six letters to date. Four letters of support have been received, one letter of objection and one raising general comments. The reasons are summarised below.

Support

- Living next to farmland would be beneficial from both a management and security perspective.
- The design reflects other properties nearby.
- The proposed site is a logical extension to Litton.
- There is an existing vehicular access to the site and off-road parking.
- The application would provide an affordable local need home which would benefit local people now and in the future. There is a current shortage of local affordable housing within the local area.
- The development would include sustainable technology.

Objection

- This site is outside the footprint of the village and will set a precedent for additional building extending the village and destroying its character.

- Current building within the village has been within the existing outline and on derelict land which was an improvement.

General comment

- The development could appear quite dominant and elevated from the road side. The development could be cut into the hillside lowering its elevated position and impact upon Dale Cottages.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, CC1, HC1, L1 and L2

Relevant Development Management policies: DMC3, DMC4, DMC11, DMC12, DMC13, DMH1, DMH2, DMH3, DMH11, DMT3, DMT8, DMU1 and DMU2.

National Planning Policy Framework

13. The National Planning Policy Framework (NPPF) 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 our Core Strategy 2011 and the Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.
14. Para 172 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.'
15. Para 77 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.
16. The NPPF defines rural exceptions site as small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.

Peak District National Park Core Strategy

17. Policy DS1 sets out the Development Strategy for the National Park. Part D says that in named settlements such as Litton there is additional scope to maintain and improve the sustainability and vitality of communities. In or on the edge of these settlements amongst other things new building development for affordable housing is acceptable in principle.
18. Policy HC1 says that exceptionally, new housing can be accepted where the proposals would address eligible local needs and would be for homes that remain affordable with occupation restricted to local people in perpetuity. The provisions of HC1 are supported by policy DH1, DH2 and DH3 of the Development Management Policies, which gives more detailed criteria to assess applications for affordable housing to meet local need.

19. 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). GSP1 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.
20. 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.
21. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
22. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

Development Management Policies

23. The most relevant development management policies are DMH1 and DMH2. Policy DMH11 is also relevant as it states the need for a planning obligation to secure the affordability of the dwellings in perpetuity if the scheme were permitted.
24. Policy DMH1 – New Affordable Housing
 - A. Affordable housing will be permitted in or on the edge of Core Strategy policy DS1 settlements, either by new build or by conversion; and outside of Core Strategy policy DS1 settlements by conversion of existing buildings provided that:
 - (i) there is a proven need for the dwelling(s); and
 - (ii) any new build housing is within the following size thresholds:

Number of bed spaces and Maximum Gross Internal Floor Area (m ²)
One person 39
Two persons 58
Three persons 70
Four persons 84
Five persons 97
 - B. Starter Homes will be permitted as part of a development of housing to enhance a previously developed site.
 - C. Self-Build and Custom Build housing will be permitted on rural exception sites in accordance with Part A regarding proof of need and size thresholds.
25. Policy DMH2 First occupation of new affordable housing

In all cases, new affordable housing must be first occupied by persons satisfying at least one of the following criteria:

- (i) a person (and his or her dependants) who has a minimum period of 10 years permanent residence in the Parish or an adjoining Parish inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
 - (ii) a person (and his or her dependants) not now resident in the Parish but having lived for at least 10 years out of the last 20 years in the Parish or an adjoining Parish inside the National Park, and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
 - (iii) a person who has an essential need to live close to another person who has a minimum of 10 years residence in a Parish inside the National Park, the essential need arising from infirmity.
26. Policy DMC3. A says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
27. Policy DMC3. B sets out various aspects that particular attention will be paid to including: siting, scale, form, mass, levels, height and orientation, settlement form and character, landscape, details, materials and finishes landscaping, access, utilities and parking, amenity, accessibility and the principles embedded in the design related SPD and the technical guide.
28. Policy DMC4. A says that planning applications should provide sufficient information to allow proper consideration of the relationship between a proposed development and the settlement's historic pattern of development including the relationship of the settlement to local landscape character. The siting of the development should complement and not harm the character of these settlements.
29. Policy DMC11. A says that proposals should aim to achieve net gains to biodiversity or geodiversity as a result of development. In considering whether a proposal conserves and enhances sites, features or species of wildlife, geological or geomorphological importance all reasonable measures must be taken to avoid net loss.
30. Policy DMC13 says that planning applications should provide sufficient information to enable impact on trees, woodlands and other landscape features to be properly considered. Development should incorporate existing trees which should be protected during the course of the development.

Assessment

Principle of affordable housing

31. Our policies do not allow new build housing in the National Park unless there are exceptional circumstances. One circumstance where housing can be permitted is under policy HC1. A where development would meet eligible local need for affordable housing.
32. The site is located on the edge of Litton, therefore the development of affordable housing is acceptable in principle if there is a proven need for the dwelling, the housing is within our maximum size thresholds and the applicant satisfies our occupation criteria in accordance with policies DMH1 and DMH2.
33. The applicant is the intended first occupant of the dwelling. The applicant owns a two bedroom property in Bradwell parish where he lives with his partner and sister. The

- applicant states that he has lived in this property for more than ten years. No evidence to demonstrate the applicants' local qualification has been submitted with the application.
34. From the information provided the applicant would not meet the criteria set out in policy DMH2 in the first instance because the applicant does not live within Litton or an adjoining parish. Litton Parish does not adjoin Bradwell Parish.
 35. Furthermore, the applicant currently owns and occupies a two bedroom property. People owning a house are generally considered to be more able to resolve their own housing need. No evidence has been submitted with the application to demonstrate that the applicant has registered with Home-Options and been assessed as eligible to bid for affordable housing.
 36. The application states that available properties have been monitored on Home-Options and on the open market but that no properties have been available within the local area. No evidence of a search or properties that are available has been submitted with the application.
 37. The applicant would be unable to bid on properties without first registering with Home-Options and it is therefore unclear on what basis this has been discounted. We have carried out a market search and there do appear to be three bedroom properties in Tideswell currently on the market within the applicants budget.
 38. The application proposes the erection of a detached four bedroom dwelling with a gross internal floor area of 97m². This equates to a five person dwelling as set out by policy DMH1. The applicants' household has three persons (maximum floor area of 70m²) and therefore the proposed dwelling appears to be significantly larger than the applicants need. Though it is difficult to make an objective assessment because the applicant has not registered with Home-Options.
 39. Therefore the application does not demonstrate that there is a proven need for the proposed affordable house contrary to policy DMH1. A or that the applicant meets our occupancy criteria set out by policy DMH2.
 40. The desire to move to a larger property to start a family is understood. However, our policies require applicants to demonstrate that they are in need of affordable housing and have a local connection. This is to ensure that the limited sites available for affordable housing are only released when development would meet a demonstrable local need that can not be met by the existing housing stock.
 41. The Parish Council and a number of representations mention the proximity of the site to farmland. The application states that the applicants father owns some land at Litton Dale and that the development would give access to the land to check on livestock and ensure machinery is secure.
 42. The application is for an affordable house rather than an agricultural worker dwelling. No evidence about the farm operation has been submitted to justify a new dwelling. It is clear from the application that the applicants profession is a builder. Therefore while the development may be convenient in relation to the adjacent land these issues do not provide justification for the erection of a house on the site.

Siting and landscape impact

43. The site is located within the limestone village farmlands landscape character type within part of a larger field bounded by drystone walling. The land here rises up the dale away from the road.

44. The site is located adjacent to garages associated with Dale Cottages and opposite from Dale House. These properties are located away from Litton but have been connected by recent affordable housing development to the west on the north side of the road. Therefore while the site is clearly located away from the centre of the village it can be argued to be on the edge of the settlement.
45. The character of the land within the Dale here changes significantly beyond Dale Cottages becoming open countryside with open pasture rising up to the south side of the Dale. There is a clear change in character from the group of properties at the edge of Litton that enclose the road to the open Dale beyond.
46. The proposed house would be sited above the level of the road on the rising ground and would be a prominent and visually intrusive development in this location. The development would urbanise this part of the Dale adversely affecting its open character and the transition between edge of settlement and open countryside. We agree with the Parish Council that the development would have a harmful impact upon the scenic beauty of the Dale.
47. The impact of the development would be clearly visible from the road and the approach and exit to the village and from the footpath that passes along the eastern boundary of the site and provides elevated views from the south.
48. The development would extend the boundary of the village and while this is often necessary and can be acceptable on some sites, in this case the development would begin ribbon development beyond the established edge of the village and into the open Dale which is valued for open character and scenic beauty.
49. The Parish Council raise concerns that the development, if approved, could set a precedent for further development along this side of the road. Each application must be determined on its own merits, however, if development was accepted on this site then further development could be more likely to be acceptable.
50. The proposal would introduce new residential development beyond the established edge of Litton and out into the open Dale. The development would result in further linear development into the Dale in a manner that would harm the landscape character of the area.
51. Therefore, the development would not conserve or enhance the landscape character of the area contrary to policies GSP1, GSP3, L1, DMC3 and DMC4.

Design, sustainable building and climate change

52. The proposed dwelling would be constructed from natural limestone and blue slate with a narrow gable pitched roof. Windows and doors would be timber with natural gritstone surrounds.
53. The dwelling has a narrow gable and utilises traditional materials and detailing. The design therefore broadly reflects the local built tradition and our adopted design guide. The house would be provided with a small curtilage with amenity areas to the front and rear.
54. The application states that design has been considered to maximise solar gain to amenity spaces and habitable rooms. The house would be built using a fabric first approach with high specification insulation, low energy white goods and fittings and low water demand sanitary facilities. An air source heat pump is proposed to provide primary heating along with water butts for water storage.

55. The information provided demonstrates how the development has been designed to make the most efficient use of natural resources, taking into account the energy hierarchy and achieve the high standards of carbon reductions and water efficiency in accordance with policy CC1.

Impact upon amenity and Highway Safety

56. The proposed dwelling would be elevated above the level of the adjacent property to the east. However, the dwelling would be located closest to a detached garage and some distance from the neighbouring house and its garden. The development would therefore not be overbearing or lead to any significant loss of light that could harm the amenity of the neighbouring property.
57. There are no windows in the gable of the proposed house facing the neighbouring property, therefore the development would not lead to any loss of privacy or overlooking. Therefore, we conclude that the development would not be contrary to our detailed design guidance in respects of amenity and not harm the amenity, security or privacy of any neighbouring property.
58. The development would utilise the existing field access providing a driveway, turning area and two parking spaces for the house. There is sufficient parking and turning space within the site to serve the development. The Highway Authority has requested further information to demonstrate sufficient visibility to the highway and amendments so that the access meets the classified road at right angles.
59. We have not requested amended plans due to our fundamental concerns about the justification and impact of the development. However, there is sufficient visibility onto the highway and space for the access to meet the road at right angles. Therefore, subject to conditions to secure amended plans we consider that the development would not harm highway safety.

Trees and protected species

60. The site is improved grassland and there is no evidence of any protected species or habitat within the field that could be affected by development. Give the distance to any designated site the development would not result in a harmful impact.
61. There are a number of mature trees along the highway. These are away from the location of the proposed dwelling but works to erect boundary walls may affect their root system. These works are unlikely to be harmful if carried out in an appropriate manner and therefore if permission is granted we would recommend a scheme of tree protection measures and methodology to be agreed by planning condition.

Other Issues

62. If approved, a planning condition would be required to ensure that on-site utilities infrastructure is installed underground this would ensure the proposal is in accordance with policies DMU1 and DMU2. Foul sewerage would go to the mains sewer.

Conclusion

63. The application has not demonstrated that the proposed occupants have a local qualification or that there is a proven need for the dwelling contrary to policies HC1, DMH1 and DMH2.

64. The proposed site would introduce development into open countryside in a manner that would harm the character of Litton Dale and valued landscape character contrary to policies GSP1, GSP3, L1, DMC3 and DMC4.

65. Having taken into account all material considerations and issues raised in representations we conclude that the proposed development is contrary to the development plan. Material considerations do not indicate that planning permission should be granted. Therefore, the application is recommended for refusal.

Human Rights

66. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

67. Nil

68. Report Author: Adam Maxwell, Senior Planner