

**5. FULL APPLICATION – PROPOSED ERECTION OF ONE LOCAL NEEDS HOME ON LAND ADJACENT TO SPORTS FIELD, TADDINGTON - (NP/DDD/0221/0150 P9029/SC)**

**APPLICANT: MR WILLIAM DAVIDSON-HAWLEY**

**Summary**

1. The application seeks permission for a three bedroomed affordable local needs dwelling. Whilst the application has established a housing need for a single person, the proposed house is significantly larger than is supported by policy for a single person dwelling. In addition, the intensification of use of a substandard access would adversely affect highway safety. Accordingly, the application is recommended for refusal on these grounds.

**Site and Surroundings**

2. The land subject of this application is located at the northern edge of the village within the south western corner of an undeveloped agricultural field (Field 3818). Whilst the field lies outside of the village Conservation Area (CA), the CA boundary runs adjacent to the south and western sides of the development site. The nearest neighbouring dwellings are Ades Croft sited immediately and adjacent to the west and 1-3 Meadow View (a terrace of traditional properties), Croft House and Herberts Croft, sited to the south and on the opposite side of a Public right of Way (PRoW), known as Hades Lane. Access to the site would be from Main Road, along Lower Smithy Lane and onto Hades Lane.

**Proposal**

3. Planning Permission is being sought to erect a three bedroomed local need affordable dwelling with associated parking, turning and garden area.
4. For clarity, the submitted proposed site plan indicates access is on to 'Lower Smithy Lane', however, the access is directly off the PRoW known as Hades lane. The development site itself is part of an open field on the north side of Hades Lane, towards the northern fringe of the village and just outside of the CA. The development site is fairly level, and measures approximately 24m x 24m. The proposed layout would comprise a 3 bedroomed detached dwelling, with associated parking space for two vehicles, turning area and garden. The dwelling itself would be positioned towards the eastern side of the plot around 6m back from the boundary of Hades Lane. The floorspace of the proposed dwelling, would be 97sqm. Vehicular and pedestrian access would be directly off Hades Lane. In addition, drystone walling would be constructed along the northern and eastern borders of the plot, enclosing the entire site within a hard boundary.

**RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

1. **The proposed dwellinghouse is significnatly larger than the size justified by the identified housing need. The proposed house would therefore not meet an identified need for affordable local needs housing and therefore as a result the proposal is contrary to policy DMH1.**

2. **The substandard visibility and the intensification of use arising from the proposed development would adversely affect highway safety. Therefore contrary to policy DMT3 and guidance within Para: 109 of the NPPF.**

### **Key Issues**

5. Whether the proposal complies with the relevant Development Plan Policies relating to the provision of affordable local needs housing.
6. The potential impact of the development on the village Conservation Area and the wider landscape.
7. Whether the proposed dwelling is considered acceptable in terms of its design, highways and amenity impacts.

### **History**

8. No relevant planning history for the development site.

### **Consultations**

9. Highway Authority – The Local Highway Authority raise objections on highway safety grounds. The details of which are set out in the Highway and Access section of this report.
10. District Council – No response at the time of writing the report.
11. Parish Council - *'The Parish Council is not raising any objection to the principle to this proposal for the erection of an affordable house, as it wishes to support young people to stay in the village. The Council expects that the normal planning policies are applied and that no precedent is set with this application'*.
12. PDNPA Archaeology - The Authority's Senior Archaeologist has stated that the site of the proposed development is of archaeological and historic interest. The full response and recommendation can be read in the Archaeology section of the report.
13. PDNPA Built Environment - The Conservation Officer agrees with the Archaeologist's analysis about the significance of the historic field systems and highlighting the importance of the watering lanes to the character and significance of the Conservation Area. A more detailed response can be read within the Conservation Area section of the report.

### **Representations**

14. There have been 19 letters submitted in support of the proposal and 4 letters of objection. These are summarised below:

#### Support:

- Modest scale and design in keeping with the character of the village.
- Keeping a local person within the village.
- Helps new families to afford to live in the village.
- More affordable homes required to allow locals to stay within community.

#### Object:

- Siting of dwelling would cause privacy issues.

- Hades Lane (PRoW) too narrow for vehicles.
- Need to protect strip field system.
- Potential loss of protected species.
- Siting, scale and design of dwelling would have significant visual impact on the valued characteristics of the landscape.

### **National Planning Policy Framework**

15. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) 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 particular Para: 172 states, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
16. In addition, Paragraph 189 states "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."
17. Whilst Paragraph 193 states, that when considering the impact of a proposed development the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
18. In this case, within the National Park, the development plan comprises the Authority's Core Strategy 2011 and the new Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

### **Main Development Plan Policies**

#### **Core Strategy**

19. GSP1, GSP2 - *Securing National Park Purposes and sustainable development & Enhancing the National Park*. These policies jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets
20. GSP3 - *Development Management Principles*. Requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.
21. DS1 - *Development Strategy* - reflects the objectives of national policy, indicating that new build development for affordable housing will be acceptable within or on the edge of the settlements of which it lists, which in this case includes Taddington village.

22. HC1 - *New housing*. Provides the detailed housing policy. Where exceptionally, new housing can be accepted when in accord with GSP1 & GSP2, it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings.
23. L1 - *Landscape character and valued characteristics*. Seeks to ensure that all development conserves and enhances valued landscape character and sites, features and species of biodiversity importance.
24. L3 - *Cultural Heritage assets or archaeological, architectural, artistic or historic significance*. Explains that development must conserve and where appropriately enhance or reveal the significance of historic assets and their setting. Other than in exceptional circumstances, development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting.
25. CC1 - *Climate change mitigation and adaptation*. Sets out that development must make the most efficient and sustainable use of land, buildings and natural resources. Development must also achieve the highest possible standards of carbon reductions and water efficiency.

#### Development Management Policies

26. DMC3 - *Siting, Design, layout and landscaping*. Reiterates, that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape. The siting, mass, scale, height, design, building materials should all be appropriate to the context. Accessibility of the development should also be a key consideration.
27. DMC5 - *Assessing the impact of development on designated and non-designated heritage assets and their setting*. The policy provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.
28. DMC8 - *Conservation Areas*. States, that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, across or through the area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced. Applications should also be determined in accordance with policy DMC5 taking into account amongst other things, form and layout, street pattern scale, height, form and massing, local distinctive design details and the nature and quality of materials.
29. DMH1 - *New affordable housing*. Affirms that, affordable housing will be permitted in or on the edge of settlements in accord with Core Strategy Policy DS1, either by new build or conversion, provided that there is a proven need and the building is within the stipulated size thresholds. These thresholds are; One person 39sqm, Two person 58 sq., Three person 70sqm, Four person 84sqm & Five person 97sqm.
30. DMH2 - *First occupation of new affordable housing*. Asserts that in all cases, new affordable housing must be first occupied by persons satisfying the local qualification criteria for housing for the purposes of DMH1.

31. DMH7 - *Extensions and alterations*. States that extensions and alterations to dwellings will be permitted provided that the proposal does not in the case of houses permitted under Policy DMH1, exceed 10% of the floorspace or take the floorspace of the house above 97sqm.
32. DMH11 - *Section 106 agreements*. A legally enforceable agreement to mitigate impacts of a development proposal, where this cannot be achieved through the use of planning conditions alone. These will be applied to housing developments such as affordable housing.
33. DMT3 *Access and design criteria*. States amongst other things, that a safe access should be provided in a way that does not detract from the character and appearance of the locality and where possible enhances it.
34. DMT8 - *Residential off street parking*. Off-street parking for residential development should be provided unless it can be demonstrated that on-street parking meets highway standards and does not negatively impact on the visual and other amenity of local communities.

## **Assessment**

### **Principle of development**

35. Policy HC1 makes it clear that provision will not be made in the National Park for new housing to meet general demand. However, on an exceptional basis, new housing may be permitted if it is to meet an eligible local need for houses that will remain affordable in perpetuity. In addition, as a settlement named by policy DS1, Taddington is acceptable as a location for new affordable housing in principle. In addition, Policies DMH1 and DMH2 make it clear that new affordable housing can only be permitted when there is a proven need for new housing.

### **Local Need Qualification**

36. According to the submitted information, the applicant has lived in Taddington all his life and currently resides with his mother in the village. He now wishes to set up home for the first time to start a family and wishes to remain in the village and consequently purchased a plot of land from the family in order to build a home.
37. The applicant has registered with the Home Options scheme, which helps people identify and provide housing to those unable to afford open market property values and rents. This registration has categorised the housing need of the applicant as 'Band C', which confirms that as a single person they have an identified housing need. In this case, for the purposes of policies DMH1 and DMH2, it is accepted that the applicant is in housing need, and their current status means they would meet the local occupancy criteria set out by policy DMH2.
38. The supporting text of the affordable housing policies sets out that the Authority will need to be persuaded that applicants have no alternatives available to them on the open market or through social housing that can meet their need, and that evidence of their search for housing on the market should accompany any planning application.
39. The agent has stated that purchasing a property on the open market in the area is entirely unfeasible with no properties of a suitable size advertised within a 3-mile radius for less than £200,000. The only house for sale in Taddington at the time of the application are being advertised at £500,000, with two bed houses to rent on the open market in the

village currently £800 a month with none available. Whilst no evidence has been submitted in support of further searches through Home Options at this time, based on the above, it is accepted that the applicant has a housing need that cannot be met on the open market, and constructing a new affordable dwelling in this location to meet that need would be in general compliance with planning policy in principle.

### **Size of proposed new dwelling**

40. The housing need established by the Home Options registration is for a single person dwelling. In this case, Policy DMH1 outlines maximum size guidelines for new affordable dwellings, and for a single person dwelling the maximum size threshold is a floorspace of 39sqm.
41. In this instance, the proposed dwelling would have a floorspace of 97sqm, which is the maximum floorspace allowed for a 5 person dwelling and therefore far exceeds the maximum size threshold for a single person dwelling. The purpose of defining size thresholds based on the identified housing need in policy DMH1 is to create a range of stock types to address the varied needs of the National Park's communities, and to allow a range of affordability of properties. The intention therefore is that new affordable housing should be permitted at a scale to address evidenced housing need and not personal preference.
42. Moreover, In accepting every new affordable home up to the maximum threshold would entirely defeat these policy objectives, and would ultimately deliver only a stock of larger dwellings that would remain unaffordable and oversized for many of those with identified housing needs; in particular those on low to moderate incomes seeking to get on to the property ladder for the first time. Consequently and as a result, the proposed scheme is contrary to policy DMH1 and cannot be supported.
43. Even allowing for possibility the applicant's current personal circumstances in terms of the number of people within the household may change, the proposed dwelling is of a size so far above the identified housing need that this can only be afforded very little weight in support of the application.

### **Design & materials of proposed dwelling.**

44. The main two-storey dwelling would have a rectangular plan form with a lean-to on the north elevation, giving an external footprint of around 9.5m in length x 6m in gable width for the main two storey element with the single storey lean-to having a further footprint of 4m x 2.8m. The eaves height to the main dwelling would be around 5.2m with an overall height to the ridge of approximately 7.3m. Local materials would be used; natural limestone walls and gritstone dressings under a blue slate roof, with timber windows and door frames. In this case (Notwithstanding affordable floorspace guidance constraints), the proposal in siting and design terms would be acceptable and therefore in accordance with policies DMC3 & DMC5 respectively.

### **Potential Archaeological matters**

45. The Authority's Archaeologist has advised that; *'Taddington village has a well preserved and still legible linear plan form originating from the medieval period. The two parallel back lanes define limit of this area, with Watering Lanes linking to the main street. The field systems lie beyond the back lanes. The proposed development is sited within this former field system.*
46. *These fossilised medieval strip fields are a rare and precious landscape character type and important to the National Park. They are a non-designated heritage asset of high*

*significance. They have archaeological and historic interest as well as intrinsic landscape value, providing the area a distinct character. Whilst the particular field in which the proposed development is located is not itself a narrow strip, it is a slightly larger field that would have been part of a group of strips when the area was enclosed. Nevertheless this is development within the fossilised strip field system.*

- 47. Whilst the proposed development appears to be within a location that does not break the line of the strip field 'land parcel' or its extant field boundaries, it will have an impact on the wider historic landscape character by creating a visual intrusion into the field system resulting in harm to an important heritage asset and to historic landscape character. Therefore, even though there is no direct physical impact to the structure of the field system, the proposed development would not conserve or enhance this important area of historic landscape. In accordance with the requirements of Local Development Framework policy L3 and the Development Management Policy DMC5.*
- 48. There are other developments and intrusions into the field system beyond the back lane in this location, including the properties 'Keepers Croft' [Ades Croft] and 'Ade House' to the west. The cumulative impact of development extending beyond the core of the village and out in the field system must be considered in reaching a balanced planning decision. The development also lies on the edge of the Taddington Conservation Area, a designated heritage asset. The north south boundary wall to the west of the site forms the boundary of the Conservation Area.*
- 49. In the Conservation Area Appraisal the views over these fields (in directions both into and out of the Conservation Area) are marked as wide views, i.e. important views for the Conservation Area, so the impact of building a new house here need to be considered. Access to the proposed house will be via the 'Watering Lanes' and Back Lanes on the north side of the village, some of which are current unsurfaced. These are important features of the village and identified as needing to maintain in the Conservation Area Appraisal.*
- 50. With the information currently available archaeological potential is unknown (this is not addressed in the application), and so can only be estimated. The site itself has never been subject to archaeological survey or investigation. At this location, outside the historic core of the village it is unlikely that there will be the direct remains of settlement or primary domestic activity.*
- 51. It is possible that buried archaeological remains related to the medieval agricultural activity or secondary domestic activity (overspill from the croft) could survive at this location in a plot facing immediately onto the back lane. Any such remains would be of local significance only. The ground works associated with the proposed development, including foundation trenches, new drive and parking areas, landscaping, new drainage, services etc. will most likely result in the truncation, damage, disturbance or complete destruction of any surviving archaeological remains at this site relating to medieval activity.*
- 52. Taking into account their likely nature and significance, although this can only be estimated at this stage, am confident that any impacts and harm will be minor, and this can be appropriately mitigated through a condition scheme of archaeological monitoring'.*
- 53. In this case, the Officer has suggested, that if the planning balance is favourable, then the following recommendations should be conditioned:*
- 54. The retention and upkeep of the drystone walls field boundaries to ensure their retention and minimise the impact on the physical remains of the fossilised medieval field system.*

55. *A scheme of archaeological monitoring of the groundworks to a written scheme of investigation approved by the PDNPA Senior Conservation Archaeologist.*
56. Should the scheme be considered for approval by members, Officers accept that with the inclusion of the proposed conditions, the scheme would on balance be acceptable in Archaeological terms and therefore in accordance with policies L3 & DMC5 and Para: 199 of the NPPF in these respects.

### **Potential impact on the adjacent Conservation Area**

57. The Conservation Officer concurs with Archaeology about the significance of both the historic field systems and in particular the importance of the watering lanes to the character and significance of the Conservation Area. Adding that *'...the unsurfaced nature of the back lane at the site of the proposed development marks the transition from the residential zone, with surfaced roads, to the fields beyond. This agricultural character is important - it would be detrimental if there was pressure to surface this lane in the future.*
58. *The Conservation Area Appraisal shows the open views that cross the proposed development site from and towards the high ground to the south of the village – this high ground is the location of the 'High Well', the town's original main, natural, water supply. The well site has a strong functional relationship to the watering lanes and affords extensive views over the church, the hall, and the fields to the north.*
59. *The proposal must be carefully considered in terms of the relationship to the back lane/watering lane, and whether there will be erosion of the legibility of that layout, or harmful impact upon the open views that link the field systems to the source of water (and therefore to the contribution that the setting makes to the significance of the Conservation Area). These factors contribute to the character of the Conservation Area'.*
60. In this case and subject to conditions relating to an appropriate layout and surfacing of the access road, new boundary walling erected to match the existing and with the proposed Archaeology conditions, the development would on balance help preserve the area in conservation terms and therefore generally accord with policies DMC3 & DMC5 in these respects.

### **Impact on residential amenity**

61. The nearest domestic residences are Ades Croft sited immediately and adjacent to the west of the site and 1-3 Meadow View (a terrace of traditional properties), Croft House and Herberts Croft, which are sited to the south and on the opposite side of a PRoW (Hades Lane).
62. In the case of Ades Croft, the proposed layout of the new dwelling would be positioned towards the eastern side of the site and with a separation distance of around 11m and gable on to Ades Croft, the amenity of this property would not be unduly compromised by the development. With regard to 1-3 Meadow View, Croft House and Herberts Croft, the distance between the elevations of the dwellings and the proposed would be around 20m and sited on the opposite side of Hades lane and at a higher level to the development site. Regarding this and due to the distance of separation between these properties and the proposal, the amenity of the occupants of these dwellings would not be adversely affected by the development.
63. Consequently, there are no amenity issues arising from the scheme that would affect the occupants of both the nearest neighbouring dwellings, or any other residential properties close by, the application therefore complies with GSP3 & DCM3 in these regards.



### **Highway safety and access**

64. The Highway Authority have stated that '*... the access route to the proposed dwelling would be narrow and torturous and a particular route could not in any case be specified and enforced. In addition, the immediate frontage to the plot of land is the route of a Public Right of Way with several others in the immediate vicinity. In addition, visibility from any access is likely to be extremely limited although it is noted that pedestrian intervisibility splays have been provided which should be 2m x 2m x 45°. Of even more concern, however, is the fact that any access onto Main Road would be severely deficient in terms of exit visibility. Given the above, the Highway Authority recommends refusal of the proposal for the following reasons*'.
65. *The proposed development, if permitted, involving the creation of a new vehicular access to Lower Smithy Lane, would introduce traffic movements to and from the public highway at a point where emerging visibility is severely restricted, thereby leading to danger and inconvenience to other highway users.*
66. *Existing accesses onto Main Road are severely deficient in respect of exit visibility and the Highway Authority would not wish to see any intensification in use of these accesses.*
67. *The provision of a vehicular access with adequate visibility splays to the Highway Authority's minimum standards would involve the use of land, which as far as can be ascertained from the application drawings, lies outside the applicant's control.*
68. *The application site is accessed via a roadway which is substandard in terms of geometry, construction quality and street lighting and is therefore unsuitable to safely cater for the traffic both vehicular and pedestrian associated with further residential development.*
69. *The frontage to the site is the route of a Public Right of Way. The proposal, if allowed, would lead to increased conflict between vehicles and more vulnerable highway users which would be considered against the best interests of highway safety.*
70. In this case, with regard to the Highway Authority's substantive objections, it is evident that the proposed development, due to its substandard visibility and intensification of use would adversely affect highway safety and amenity. Therefore the scheme would be contrary to policy DMT3 and guidance within Para: 109 of the NPPF and cannot be supported.

### **Environmental management**

71. According to the details in the submitted Design & Access Statement, the building would be constructed to high levels of insulation throughout. All windows would be double-glazed and lighting would be provided with low energy fittings. All materials would be sourced locally and where the applicant cannot do the work themselves, local trades people would be used. Regarding this, the proposals would generally meet the requirements of policy CC1 in these respects.

### **Conclusion**

72. Whilst the need for an affordable dwelling has been identified, the proposed dwellinghouse is larger than the size justified by the identified housing need, and as a result the proposals are contrary to policy DMH1.

73. Furthermore, visibility from the site access that is within the applicant's control is substandard, and it is concluded that the intensification of use arising from the proposed development would adversely affect highway safety. The Highway Authority recommends refusal of the application on these grounds

74. There is otherwise no conflict between the intent of policies in the Local Plan and Government guidance in the National Planning Policy Framework and there are no other material considerations that would indicate planning permission should be granted. Accordingly, the application is recommended for refusal.

**75. Human Rights**

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

**List of Background Papers** (not previously published)

Nil.

Report Author: Steve Coombes, South Area Planning Team.