

9. FULL APPLICATION - ERECTION OF LOCAL NEEDS DWELLING - LAND AT CHAPEL FARM, HEATHCOTE – (NP/DDD/0121/0083, MN)

APPLICANT: MR J FLETCHER

Summary

1. The proposal is to construct a single local needs dwellinghouse in Heathcote.
2. The construction of new build housing in Heathcote is contrary to planning policies DS1 and DMH1.
3. The application also fails to establish that a housing need exists and, if so, to identify the size of property required to meet the need.
4. There are no other policy or material considerations that would indicate that planning permission should be approved. Accordingly, the application is recommended for refusal.

Site and Surroundings

5. The application site is a small field within the hamlet of Heathcote, which lies approximately 1.75km east of Hartington and approximately 1km north-west of Biggin. The field has a domestic character but there is no evidence that domestic use of the site is lawful.
6. The site is accessed via a field gate within the north-western boundary wall, which opens on to the unnamed road that forms the spine of the hamlet.
7. The properties comprising Heathcote include residential properties aligned approximately along the road through the settlement. Surrounding land use is principally agricultural.
8. The nearest neighbouring properties are The Old Chapel located to the north-west of the site, and Chapel Farm, located to the west.
9. Heathcote is not a named settlement within the Authority's Local Plan and for the purposes of planning policy the application site is therefore in open countryside.
10. The site is outside of any designated conservation area.

Proposal

11. The erection of a local needs dwelling. This would be a two storey detached house.

RECOMMENDATION

12. **That the application be REFUSED for the following reasons:**
 1. **The provision of new building affordable housing in this location, outside of a named settlement, is contrary to the adopted spatial strategy for new development within the National park. The proposal is contrary to policies DS1 and DMH1.**
 2. **The application fails to demonstrate that the applicant is in housing need and, if they are, to demonstrate what size of property their circumstances require, contrary to policy DMH1.**

Key Issues

13. The main planning issues arising from the proposals are:

- Whether the provision of an 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 to meet the identified need.

Relevant Planning History

14. 2016 – Planning permission granted for 5 pitch caravan park at Chapel Farm, south-west of application site

Consultations

15. Derbyshire County Council - Highways – No objections subject to maximising visibility splays within the site and providing adequate parking within it.

16. Derbyshire Dales District Council – No response at time of writing.

17. Hartington Nether Quarter Parish Council – Support the application and consider the proposal to be quite a conservative building for the plot.

18. PDNPA – Archaeology – No comments.

Representations

19. 8 letters of representation have been received, all supporting the proposals. The grounds for support are:

- The development would support a local person being able to remain living in the locality, supporting both them and the local community and economy.
- The appearance and location of the property is in keeping with the hamlet
- There is little existing affordable housing in the locality, and local open market housing is unaffordable to young people.
- It would reduce traffic movements that would arise if the applicant were to live elsewhere and commute to work in Heathcote

Main Policies

20. Core Strategy policies: GSP1, GSP2, GSP3, DS1, HC1, CC1, L1

21. Development Management policies: DMH1, DMH2, DMH10, DMC3

22. 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:

- a. Conserve and enhance the natural beauty, wildlife and cultural heritage
- b. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

23. 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

24. The National Planning Policy Framework (NPPF) was first 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 Local Plan comprises the Authority's Core Strategy 2011 and the Development Management DPD 2019. Policies in the Local 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 Local Plan and more recent Government guidance in the NPPF.
25. Paragraph 172 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.'

Local Plan

26. Core Strategy 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.
27. Core Strategy 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.
28. Core Strategy policy DS1 details the development strategy for the National Park. For the purposes of planning policy Heathcote is not a named settlement in Core Strategy policy DS1. The development strategy (DS1) indicates what types of development are acceptable in principle in settlements and in the countryside. New build affordable housing is not one of the acceptable forms of development outside of named settlements.
29. Core Strategy policy HC1 addresses new housing. It sets out that provision will not be made for housing solely to meet open market demand but that, exceptionally, new housing can be accepted including where it addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity.
30. Core Strategy 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.
31. Core Strategy policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

32. Development Management Policy DMC3 requires development to be 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. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
33. Development Management policy DMH1 addresses affordable housing. It sets out that 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 stipulated size thresholds. These are as follows:

Number of bed spaces	Max. Internal Floor Area (m ²)
One person	39
Two person	58
Three person	70
Four person	84
Five person	97

34. Development Management policy DMH2 addresses the first occupation of new affordable housing. It states that in all cases, new affordable housing must be first occupied by persons satisfying 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 inside the National Park and is currently living in accommodation which is overcrowded or otherwise unsatisfactory; or
 - a person (and his or her dependents) 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
 - 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.
35. Policy DMT3 states, amongst other things, that where development includes an improved access onto a public highway it will only be permitted where a safe access that is achievable for all people, and can be provided in a way which does not detract from the character and appearance of the locality and where possible enhances it.

Assessment

Principle of providing affordable housing in Heathcote

36. Heathcote is not a named settlement in policy DS1 of the Local Plan and as such for the purposes of planning policy the proposal represents the construction of a new affordable dwelling in the open countryside. This is contrary to policy DS1, which sets the spatial strategy for new development within the National Park, and policy DMH1 of the Local Plan, which only permits new build affordable housing in or on the edge of named settlements.
37. The applicant's circumstances are that he and his partner live with his parents in Heathcote, where he has resided for all of his life. They are expecting a child and are therefore seeking a home of their own. The applicant works as a self-employed lorry driver and we are advised that he keeps/maintains his lorry at the family farm, as well as helping to run the farm.

38. None of these issues are considered to represent exceptional circumstances, all being addressed by current housing policy. Existing policy already makes provision for new affordable housing for young people with strong local connections setting up home for the first time, and directs this to named settlements – where it directly supports the vitality of those settlements, is more sustainably located, and (cumulatively and generally) has lower landscape impacts. Support for the provision of housing within the countryside on the basis that the applicants own land in that location does not represent sustainable development, is easily repeatable, and undermines each of these policy aims.
39. In summary, the application does not presents any evidence that there are sound planning reasons to provide a new dwellinghouse in a countryside location where it would be contrary to the planning policies of the Core Strategy and Development Management Policies document.

Local qualification and housing need

40. Policies DMH1 and DMH2 make it clear that new affordable housing can only be permitted when there is a proven need for the new housing. To be ‘in need’ a person must be in accommodation that is overcrowded or otherwise unsatisfactory. The supporting text sets out that people forming a household for the first time can amount to a housing need.
41. The application is for one new house for the applicant to live in with their partner. We are advised that the applicant has lived with their parents in Heathcote for in excess of 10 years. This complies with policy DMH2, in so far as it relates to residence history.
42. However, no evidence of housing need has been provided. We have discussed this matter with the applicant’s agent during the course of the application, who advises that the applicant has registered with the Home Options partnership – a group that works to help identify and provide housing to those unable to afford open market property values and rents. However, despite being advised that it is necessary, no evidence of this registration or the conclusions of any needs assessment from Home Options has been provided – nor has any equivalent information that would allow the Authority to make its own enquiries with Home Options as to the applicant’s housing need.
43. For the purposes of policies DMH1 it is therefore not possible to establish if the applicant is in housing need or, if they are, what size of property their identified need is for. The application is therefore contrary to these policies.

Size of proposed dwelling

44. The approximate floorspace of the proposed dwelling is 93m².
45. Policy DMH1 outlines maximum size guidelines for new affordable dwellings, ranging from 39m² for a single person dwelling to 97m² for a five person dwelling.
46. As noted previously, the lack of evidence of a housing need means that it is not possible to establish what size of property is justified by that need – if one exists.
47. 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; accepting every new affordable home at any size proposed up the maximum threshold would entirely defeat these objectives, and would ultimately deliver only a stock of larger dwellings that remained unaffordable and oversized for many of those with identified housing needs; particularly those seeking to get on to the first rung of the property ladder.

48. As a result of insufficient evidence that a dwelling of this size is required to meet the applicant's housing need – if they have one – the application is also contrary to policy DMH1 in this regard.

Design

49. The design and massing of the property broadly follow the local building traditions, and would be appropriate to the building's setting.
50. Materials – limestone walling with a blue slate roof – would also reflect the local built environment.
51. Overall, the design of the property raises no objections and would conserve the appearance of the built environment and landscape, according with policy DMC3.

Siting and landscape impacts

52. The dwelling would occupy a plot adjacent to the neighbouring properties of Chapel Farm and The Old Chapel to the west and north-west. This would prevent the property from appearing isolated.
53. The pattern of development within the settlement is generally irregular, with differing spacing between properties and differing setbacks from the roadside. It is not considered that a further property here would result in a suburbanising effect or have a significant adverse impact on the settlement form. Nor would it appear prominent or incongruous in the wider landscape.
54. Therefore the siting of the building gives rise to no design or landscape objections, according with policies L1 and DMC3.

Amenity

55. The proposed dwelling would be located approximately 35m from the nearest neighbours of Chapel Farm and The Old Chapel.
56. At these distances, and given the topography of the land, there are no concerns regarding loss of privacy or disturbance to these properties.
57. Some neighbouring gardens will be visible from the property, but these are already open to view from the highway and a degree of further overlooking of these spaces does not raise any significant concerns.
58. Properties to the north of the adjacent road are further from the proposed dwelling, and their amenity would not be prejudiced by the development.
59. Overall, it is concluded that the development would conserve the amenity of other residential properties in accordance with policy DMC3.

Highway considerations

60. The highway authority raise no objections to the proposal, subject to securing the maximum achievable sightlines from the site access.
61. The access is not on to a through road, and as a result traffic movements along the road are limited. There is also sufficient space within the site for turning and parking.

62. It is therefore concluded that safe access to the site could be achieved in an acceptable manner.

Climate change mitigation

63. Climate change mitigation measures are set out as including the provision of an air source heat pump, insulation to exceed building regulations, a high efficiency heating system, motion activated and energy efficient lighting, and rainwater recycling.

64. Whilst more precise details have not been provided, collectively, these measures would represent a sufficient commitment to reducing energy usage and mitigating carbon emissions subject to more specific details being secured by planning conditions. The proposal is therefore concluded to accord with policy CC1.

65. Subject to discrete positioning, the air source heat pump would have a low visual impact. This element of the scheme therefore also accords with policy CC2.

Conclusion

66. The provision of new build affordable housing in Heathcote is unacceptable in principle, conflicting with the Authority's spatial strategy and housing policies.

67. Further, the application also fails to demonstrate a need for the dwelling proposed.

68. The application is therefore found to conflict with policy DS1 and DMH1.

69. There are no other policy or material considerations that would suggest planning permission should be granted. Consequently the application is recommended for refusal.

Human Rights

70. None arising.

List of Background Papers (not previously published)

71. None

Report Author and Job Title

72. Mark Nuttall, Senior Planner