



The countryside charity  
North and East Yorkshire

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Branch Chair  
Mrs Jan Arger

**Authority:** Hambleton District Council

**Type of consultation:** Planning Consultation

**Full details of application/consultation:** 22/01334/OUT - Application for outline planning permission with some matters reserved (Appearance, landscaping layout and scale) for the Construction of 35 Dwellings including Conversion of Existing Barn and 4 Self-build Plots together with Associated Highway Works, New Open Space, Play Area and Public Car Parking and Demolition of a Dwelling

**At land:** School Farm, 17 Station Road, Great Ayton, North Yorkshire, TS9 6HA

**Type of response:** Objection

**Date of Submission:** 11<sup>th</sup> August 2022

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North and East Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy  
Katie Atkinson, BA (Hons), Dip TP, MA  
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## Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this outline application for 35 dwellings including a barn conversion and 4 self-build plots, with highway works, new open space, play area and public car parking and demolition of a building, submitted by Saddington Taylor Ltd. on behalf of Mr and Mrs Ward ('the applicant').

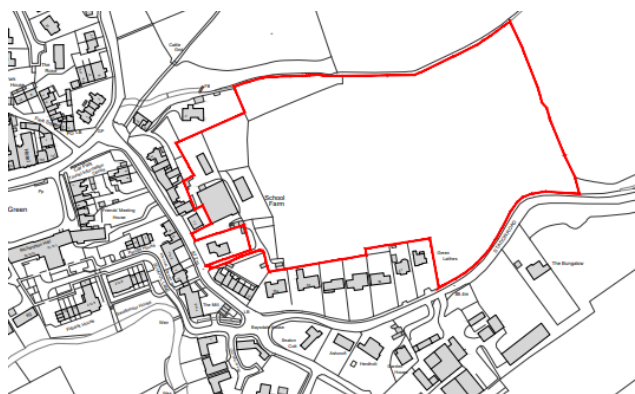
CPRENEY recognise that the proposal is in outline form with all detailed matters reserved excluding access. The applicant has provided an illustrative proposal highlighting how the proposed development could be designed to sit on the site, however, as this is only indicative and could change during the planning process, CPRENEY does not give great weight to this in formulating this response and therefore only addresses the principle of the proposal for development at this location.

The circa 2.24Ha site is located to the east of Station Road and consists of existing farm buildings belonging to School Farm, an existing two storey detached red brick dwelling, part of an adjacent field to the east and a parcel of land to the rear (eastern) boundaries of existing dwellings on Station Road. The site is bounded by existing residential properties and to the east the remaining part of the adjacent field.

An application (13/02275/OUT) for 113 dwellings on a much larger site, encompassing in its entirety the current site, was dismissed at appeal in July 2015 by the inspector who, at that time, acknowledged that the development of the site would give rise to significant social and economic benefits, including the provision of affordable housing and housing to support the local economy. However, he set out that the scale of the proposal would cause significant harm to the character and appearance of the countryside – as well as economic harm to the existing farm enterprise, despite the Council having an out-of-date Local Plan and being unable to demonstrate a deliverable five-year housing land supply.

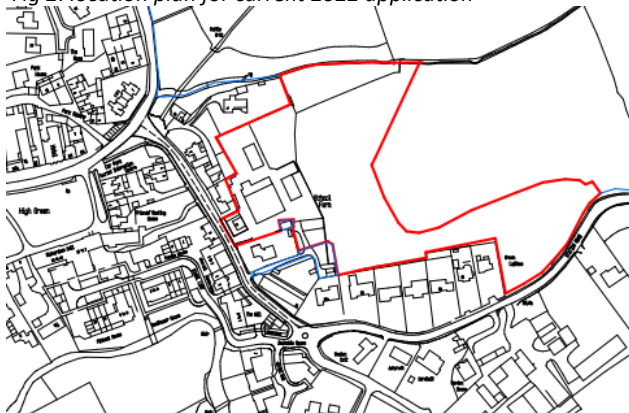
CPRENEY acknowledge that for the purpose of the current application, the farm shop is no longer operational, and that this proposal is at a significantly reduced scale, however, disagree with the applicant's Planning Statement's assertion that the decision for the previous (2013) application is "*largely irrelevant to the consideration of the current application.*" The site is the same - albeit smaller in size with the addition of the dwelling to be demolished (see comparison between figures 1 and 2 below). The applicant owns the wider site and the landscape and setting to the settlement has not changed at this location between application dates. The planning policy context is different in so much as the Council does have an up-to-date Local Plan and has a demonstrable supply of land.

Fig 1: location plan for 2013 dismissed appeal



©Gladman drawing no: 100-01

Fig 2: location plan for current 2022 application



©DIP drawing no: 3935-PD-01

Each application should be judged on its own merits, however, CPRENEY consider that the previous reasons for refusal at this site are still pertinent to the determination of this application and as such wish to register their objection to this proposal.

## Planning Analysis

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework ('NPPF') (2021) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay;*  
*or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

The Hambleton Local Plan was adopted (Feb 22) by Hambleton District Council ('the Council') following its recent independent examination. Furthermore, and as recognised in the applicant's supporting planning statement ('PS'), the Council is able to demonstrate a substantial housing land supply (9+ years) as required to do so by the NPPF, as such, full weight can be attributed to the policies contained within the Local Plan ('LP') for the determination of this proposal. Any social and economic benefit derived from the application therefore has to be assessed against this starting position.

Great Ayton is identified as one of three 'service villages' within the hinterland of Stokesley through LP Policy S3. It clearly sets out that:

*'To help maintain the sustainability of rural communities and to address affordable housing and other housing requirements, limited development will be located in service villages and secondary villages where there are a good range of services and facilities to support the level of growth proposed. The sites allocated in these villages can be developed in a way that does not detract from their character and form.*

*Existing development commitments in small villages will help meet development requirements, but no sites are allocated in this plan in these villages, reflecting the very limited level of services and facilities available.'*

As set out above, the Council has specifically chosen not to allocate land within these smaller settlements and can deliver the required housing need throughout the plan area without specific reliance on such settlements with limited services. Therefore, any site such as this, coming forward on unallocated land is considered to be a 'windfall housing development' and as such reliant on Policy HG5 for support. This clearly sets out support for sites which are within the built form of defined settlements and adjacent to the built form of service, secondary and small villages.

Paragraph 3.52 helpfully sets out that the distinction between the built form of settlements and the countryside surrounding them is vital to interpretation of several policies in the plan that shape where unallocated development proposals may be considered appropriate, such as policy 'HG4: Housing Exceptions' and policy 'HG5: Windfall Housing Development'. LP Policy S5 (development in the countryside) clearly defines the countryside as land outside the existing built form of a settlement identified in the settlement hierarchy of Policy S3. It goes on to define 'built form' as *'the closely grouped and visually well*

related buildings of the main part of the settlement and land closely associated with them. The built form excludes:

- a. any individual building or group of dispersed buildings or ribbon developments which are clearly detached from the main part of the settlement;
- b. any ribbon development attached to the main part of the settlement where the buildings relate more to the surrounding countryside than to the main part of the settlement;
- c. gardens, paddocks and other undeveloped land on the edge of the settlement where this land relates more to the surrounding countryside than to the main part of the settlement;
- d. agricultural buildings on the edge of the settlement; and
- e. outdoor sports and recreational spaces on the edge of the settlement.

*Development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located.'*

The specific site subject to this proposal (and that which was dismissed at appeal previously for the wider site) sits to the east of Station Road in Great Ayton. CPRENEY consider that the proposed site is clearly identifiable as points a-d in the above criteria list as being 'excluded' from the built form.

Fig 3: Aerial shot of site in wider context



©Google maps

The dwellings to the west and south of the site on Station Road are considered to be associated with the countryside as opposed to the 'main' built up form of the settlement which is located predominantly to the west of Station Road and North of High Street. The site of the proposed dwellings form in part some of the curtilage land associated with the existing agricultural buildings (shown as green adjacent to the worked field above) and the site involves agricultural buildings on the edge of the settlement. All of which are excluded from the definition of the built form of development.

This opinion is strengthened when considering paragraph 63 of the Inspector's report into the dismissed appeal at this site which sets out that "When viewed from the escarpment of Cliff Rigg to the east, the main extent of the built form of the village is located to the north of the site. It is separated from the site by the

*mature woodland in and around Cleveland Lodge. The existing dwellings and buildings on Station Road are visible but appear as little more than a ribbon of development forming a subsidiary part of the village. That area acts as a transition between the main built form of the village to the north and the open countryside to the south and east of the site. The proposed development would not be a natural rounding off of the village. It would be seen as an intrusion of built development into the open countryside which would consolidate the built form of the village in this location.”*

As set out above, CPRENEY do not consider that the Inspector’s report and subsequent appeal dismissal is ‘largely irrelevant’ to this proposal. The setting of Great Ayton and form of development has not altered in between appeal and the submission of this proposal. Whilst the developable area of the site is indeed smaller, CPRENEY believe any development at this site should be considered as encroachment into the open countryside and would lead to indefensible boundaries for the wider site and on adjacent land to the north of the settlement which would bring substantial development into a previously undeveloped area.

Furthermore, a field access is proposed immediately adjacent to the proposed self-build plots to the east of the existing linear development on the south-eastern part of the site. CPRENEY are aware that the Council can only determine the proposal in front of them today, however, are mindful that this access could potentially enable the applicant to seek a further permission in the future to extend the developable area into the area shown as ‘arable field’ on the submitted indicative site layout plan which would be contained by the newly formed woodland boundary and achieve development on the wider site that was previously dismissed at appeal.

Whilst Great Ayton is considered a sustainable settlement, it has limited services and as such there are much more sustainable settlements within the Plan area. As such and in line with the adopted settlement hierarchy development of this size (over 10 dwellings being considered ‘major development’ should be focussed on those settlements.

All details are at this stage reserved for a future application, should this outline proposal be approved, however, the applicant has indicated a wish to retain and add to existing boundary woodland and hedges to provide for biodiversity gains surrounding the whole of the site within their ownership including new woodland planting which is located outwith the current redline boundary. Whilst net gains for biodiversity are welcomed generally, CPRENEY consider biodiversity gain relating to a specific proposal should not be provided ‘off-site’ without full justification which has not been given as far as this charity is aware. It is also considered that a denser boundary should be provided between the curtilage of the single storey dwellings to the north-east of the site which abounds the existing arable field along the red-line boundary.

Part of the site is within the Great Ayton Conservation Area, the rest of the site and the wider site within the applicant’s ownership fall within its important setting. CPRENEY welcomes the Heritage Impact Assessment undertaken on behalf of the applicant. However, the Inspector noted in her report to the 2013 appeal the historic between the village and Captain Cook. Indeed, the footpath which runs from the north of the site and village towards Cliff Rigg to the east, is said to have been the route he would have taken from home to school. It is surprising that these elements are not assessed or mentioned within the HIA given the substantial weight placed on them in the previous appeal. When on the aforementioned route, the landscape character provides a sense of leaving the village and entering a rural area. Indeed, on leaving the village along that footpath the viewer is presented with a view of Captain Cook’s Monument, located on the escarpment at Easby Moor. This view is framed by a woodland belt on the northern edge of the site and a copse of trees within the grounds of Cleveland Lodge. The Inspector went on to conclude that at paragraph 60 that *“This striking view is a reminder of the heritage of the village.”* And at paragraph 61 that *“The built development on the site would intrude significantly into this framed view of the rural landscape towards the escarpment and Captain Cook’s Monument.”* CPRENEY completely concur with this sentiment

and believe that a major development of 35 dwellings at this location would be to the detriment of the Conservation Area, its important landscape setting and the Captain Cook Monument and again feel that the applicants view of the proposal being irrelevant is misplaced.

Similarly, the applicant's planning statement appears to offer further justification for a refusal of a proposal in Great Ayton which would cause harm to heritage assets and the Conservation Area and was not outweighed by the public benefits arising from the proposed development (of 30 dwellings at land adjoining Skottowe Crescent) and thus did not negate the overall conflict with the development plan and NPPF. (Application reference 21/00925/OUT – dismissed at appeal on 4<sup>th</sup> April 2022).

### **Conclusion**

CPRENEY welcome the opportunity to comment on this outline proposal for major development at this greenfield location on the edge of Great Ayton.

CPRENEY consider that despite its reduced size, the proposal is completely unacceptable at this location. The fact that the Council can demonstrate a substantial housing land supply and has an up-to-date Local Plan means that policies within the LP must be given full weight in the determination of the proposal. The weight attributed to the former scheme in terms of economic and social benefits must therefore be considerably less in this case. CPRENEY consider that the failure to comply with the recently adopted spatial strategy for the distribution of development is also a factor weighing heavily against the proposals.

As such, the proposal would cause serious environmental harm to the character and appearance of the countryside and impact significantly on the cultural heritage assets associated with the settlement.

CPRENEY, ergo, wishes to register its strong objection to the proposal and respectfully asks that the proposal be refused on the grounds set out above.

Should any further information be submitted in support of the proposals, CPRENEY reserve the right to comment further.