

Parish: Brompton
Ward: Northallerton
North & Brompton

Committee date: 7 March 2019
Officer dealing: Aisling O'Driscoll
Target date: 21 March 2019

18/02720/FUL

Application for the construction of 72 dwellings

At OS Field 6504 To The North Of, Northallerton Business Park, Thurston Road, Northallerton

For Broadacres Housing Association

This application is referred to Planning Committee as the proposed development is a Major development.

This item is brought to Members as a matter of urgency due to timescales for Homes England Funding for the proposed development.

1.0 SITE, CONTEXT AND PROPOSAL

1.1 The application site forms part of a strategic allocation (NM5D: Allocated for mixed housing and employment development) within the adopted Hambleton Local Development Framework. The site comprises approximately 1.84 hectares of agricultural land and is located to the north of the Northallerton Business Park and to the east of Darlington Road. The site is undeveloped with the exception of a number of agricultural buildings on the west side of the site, which are to be demolished as part of the proposal.

1.2 The application is for the construction of 72 affordable dwellings. Of the 72 dwellings to be provided 22 are single storey bungalows, 4 are one bedroom, 57 are two bedroom and 11 are three bedroom dwellings (See table below for details).

DwellingType	No of Beds			Total
	1 Bed	2 Bed	3 Bed	
Quarter House	4	0	0	4
Single Storey Bungalows	0	22	0	22
Two Storey houses	0	35	11	46
Total	4	57	11	72

1.3 To the north of the application site Phase 1 of the NM5 allocation is under construction after full planning permission was granted under hybrid application 15/01083/HYB. To the south of the site is the exiting Northallerton Business Park comprising commercial and industrial uses. To the west of the site is the Standard Way Business Park which comprises a variety of uses including retail and commercial. To the east of the site is agricultural land which forms part of the allocation.

1.4 Improvements have been secured as follows:

- Improvements to road layout

- Updates to the noise survey and acoustic mitigation
- Alterations to layout to benefit waste collections and pedestrian connectivity

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

2.1 15/01083/HYB –Hybrid planning application for:

1. Full planning application for Phase 1 residential comprising 150 dwellings to the east of Darlington Road and 148 dwellings to the west of Stokesley Road, including earth works across the site, engineering works for drainage associated with Phase 1 residential, associated infrastructure, construction of strategic link road from Darlington Road to the west and Stokesley Road to the east including roundabouts and road bridge crossing railway line and village green; and
2. Outline planning application for a mixed use development of 900 dwellings (C3) which includes the residential development comprising Phase 1 referred to above, employment (B1, B2, B8), neighbourhood centre comprising shops (A1), restaurants (A3) and drinking establishments (A4), extra care facilities (C2), medical facilities (D1), primary school (D1), community uses including recreation playing pitches and allotments, car parking and means of access (all matters reserved apart from means of access). Granted 05 December 2016.

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
 Core Strategy Policy CP2 - Access
 Core Strategy Policy CP7 - Phasing of housing
 Core Strategy Policy CP8 - Type, size and tenure of housing
 Core Strategy Policy CP9 - Affordable housing
 Core Strategy Policy CP9A - Affordable housing exceptions
 Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
 Core Strategy Policy CP17 - Promoting high quality design
 Core Strategy Policy CP18 - Prudent use of natural resources
 Core Strategy Policy CP19 - Recreational facilities and amenity open space
 Development Policies DP1 - Protecting amenity
 Development Policies DP3 - Site accessibility
 Development Policies DP4 - Access for all
 Development Policies DP6 - Utilities and infrastructure
 Development Policies DP11 - Phasing of housing
 Development Policies DP12 - Delivering housing on "brownfield" land
 Development Policies DP13 - Achieving and maintaining the right mix of housing
 Development Policies DP15 - Promoting and maintaining affordable housing
 Development Policies DP28 - Conservation
 Development Policies DP29 - Archaeology
 Development Policies DP30 - Protecting the character and appearance of the countryside
 Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
 Development Policies DP32 - General design
 Development Policies DP33 - Landscaping
 Development Policies DP34 - Sustainable energy
 Development Policies DP37 - Open space, sport and recreation
 Development Policies DP43 - Flooding and floodplains
 Affordable Housing - Supplementary Planning Document - Adopted 7 April 2015
 Hambleton Biodiversity Action Plan

4.0 CONSULTATIONS

- 4.1 Parish Council – The Parish Council support the application but requests that Swift boxes, solar panels and green energy measures be incorporated.
- 4.2 Highway Authority – The Highway Authority has raised concerns with regard to a number of detailed matters within the application. The applicant has provided a response to these matters and the further response of the Highway Authority is awaited at the time of writing.
- 4.3 Environmental Health – I have examined the acoustic report of this February and the e-mail below with reference to the original outline planning approval, specifically condition 38 to submit a noise impact assessment to demonstrate compliance with internal noise levels set in BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

I have concluded as follows:

- The report shows that acoustic glazing and ventilation, fitted to appropriate properties will meet the requirements set out as identified above.
- In addition the author has proposed an acoustic barrier around the site to protect the gardens and external areas to meet a 50 dB(A) criteria, that is an extra concession extra to the original outline permission.
- The author of the report has also reassessed for additional noise from an expanded Allerton Steel, still showing that the housing development will still meet the standard – though this is obviously hypothetical.

The noise assessment shows that the original criteria are met. We obviously need to ensure that the houses are built to the specification identified in the report, and the relevant acoustic barriers are supplied. I am not sure whether this is done by condition or otherwise, but you can accept the report, with the additional information as meeting condition 38.

- 4.4 Internal Drainage Board – No comments received.
- 4.5 Lead Local Flood Authority – The Lead Local Flood Authority has examined the proposals and is broadly satisfied that the proposed surface water strategy is acceptable. However, further clarification is required to ensure compliance with the wider, North Northallerton drainage strategy.
- 4.6 HDC Drainage Engineer – The Broadacres application includes a drainage strategy which includes a master plan for surface water management. The scheme is based on storage in larger diameter pipes and ponds, if that is realised then there will be no need to restrict the sites as there will be central storage. This will include Simon Bailes I anticipate. The principles of the strategy were sound.
- 4.7 Network Rail – No comments received at the time of writing.

- 4.8 Environment Agency – The site falls within Flood Zone 2 and as such standing advice applies. The Environment Agency has no detailed comments to make on this application.
- 4.9 Yorkshire Water Services – No comments received at the time of writing.
- 4.10 Police Architectural Liaison - The Design and Access Statement submitted with the application shows clearly that the applicant has considered crime prevention. There is a specific, comprehensive section outlining crime prevention measures that are to be incorporated into the proposed development to prevent crime and disorder. It is pleasing to note that should this application be successful that the applicant intends to apply for Secure by Design Silver Standard accreditation. The overall design and layout of the proposed scheme is considered acceptable.
- 4.11 Public comments – Site notice posted 29 January 2019. Application advertised as Major Development on 18 January 2019. No comments were received in response to neighbour notification or general publication through the site notice and advertisement.

5.0 OBSERVATIONS

- 5.1 The principle of housing development in this location has been set by the Outline approval set within application 15/01083/HYB.
- 5.2 The main issues to consider are: (i) the layout and design of the proposed development; (ii) matters relating to affordable housing, size, type and tenure; (iii) noise and amenity issues; (iv) highways matters; (v) flooding and drainage; and (vi) ecology

Layout and Design

- 5.3 One of Hambleton’s strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is “To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character.”
- 5.4 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.5 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.6 Paragraph 66 sets an expectation that applicants engage with the local community in drawing up the design of their schemes:
- “Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.”
- 5.7 The Council’s Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any

significant impact to explain how public comments have influenced the chosen design.

- 5.8 As outlined above the application is for 72 dwellings comprising 1 quarter house (.4 one bedroom dwellings), 22 two bedroom bungalows, 35 two bedroom houses and 11 three bedroom houses.
- 5.9 The dwelling types are mixed throughout the development providing a range of roof heights which creates a varied and interesting street scene.
- 5.10 The development can be accessed by a main vehicular access point at the north east corner of the site. The site is then connected to the A167 Darlington Road via the strategic link road approved under 15/01083/HYB. Although this road is yet to be certified and adopted, it is not anticipated that there will be any impediments in this regard. This issue is discussed in more detail below.
- 5.11 The site can also be accessed via a dedicated pedestrian route to the north end of the site. During the life of the application this access was altered to provide a dedicated paved footway through the shared surface area.
- 5.12 The units are arranged in mainly pairs and terraces. The dwellings have been orientated to minimise the acoustic impact from the surrounding area on the residents. Whilst the dwellings are sited quite close together their orientation in relation to each other and the street will provide open space and avoid an overbearing cramped street-scene. Amendments were sought and provided ensuring compliance with the 45 degree standard and to reduce overbearing impacts between neighbouring properties. All of the dwellings have private amenity space between 5 and 8 meters in depth. Landscaping has been incorporated in the layout and is considered sufficient to provide softening of the built form.
- 5.13 Individually the properties are considered to be well designed incorporating both modern and traditional elements. It is proposed that the dwellings be finished in a mix of facing brick, render and fibre cement cladding with UPVC fenestration and slate appearance concrete roof tiles in a mix of grey and red. The use of Jerkinhead roof type on the quarter house mitigates the impact of the large roof space on the street scene. While this roof type is not overly prevalent in the district neither is it unheard of.
- 5.14 Internally all of the units meet or exceed the national space standards. Room proportions are good and internal built in storage space has been incorporated.
- 5.15 Overall the layout and design of the development is considered acceptable.

Character of area and local distinctiveness

- 5.16 Core Strategy Policy CP1 indicates that proposals will be supported if they promote and encourage or protect and enhance the distinctiveness, character, townscape and setting of settlements. The impacts of development were considered under the outline section of the hybrid application 15/01083/HYB. A Landscape and Visual Impact Assessment (LVIA) prepared by Landcare was submitted with application 15/01083/HYB. In summary, the LVIA identified that on the southern boundary between Darlington Road and Stokesley Road there is the large industrial estate of Thurston Road. The buildings of the industrial estate are visually dominant due to their scale and mass and the light coloured cladding panels, which means that they are very visible from viewpoints in the north west, north and north east including from Darlington Road, rail users, Northallerton Road and Stokesley Road. In this regard, the LVIA concludes that the main feature of the townscape interface is clearly the visual dominance of the industrial estate particularly as bounding hedgerows are of

too small a scale, and hedgerow trees too widely spaced, to have any meaningful mitigating effect on the large white or pale toned buildings.

- 5.17 That said, the LVIA recognised that while the proposed developments (including the wider site) would provide a screen to the industrial estate when viewed from the north, the impact of development would be permanent and thus there will be no reversibility of landscape effects. The magnitude of change is therefore considered to be significant in terms of both the overall area that would be altered and the extent to which the northern built form boundary advances towards the north bringing development much closer both geographically and visually to residents of Brompton.
- 5.18 This, however, was an anticipated outcome of the site Allocation and was not considered a suitable justification for considering refusing the outline application. Similarly, given that the principle of development of the application site has been established through both the allocation and the granted outline consent this point remains valid.
- 5.19 Overall, the conclusion is made that the proposed development will create a change in the land-use and landscape character of the development site. The nature of this change will however be similar in scale and complimentary in character to that existing elsewhere within the local area and mitigation measures can be incorporated into the design which will help to assimilate the development into the wider landscape and townscape context. It is therefore recommended that a condition be included to address landscaping at least on the western boundary of the site.

Affordable Housing

- 5.20 Northallerton is a Service Centre in the Hambleton Settlement Hierarchy where there is an affordable housing requirement of 40% on any development of 15 or more residential dwellings. Additionally, the Hambleton Local Development Framework allocations policy NM3D also sets a requirement for 40% affordable housing.
- 5.21 The affordable housing need is further clarified within Hambleton's supplementary guidance on affordable housing which shows that the need is for 70% for affordable rent and 40% shared ownership.
- 5.22 In this case the proposal is for 72 dwellings all of which are for affordable housing; 28 (39%) of the homes will be for shared ownership and 44 (61%) for rent. Whilst this mix represents a slightly lower proportion of rented units (and subsequently higher element of shared ownership homes) than the 70%/30% policy requirement this is off-set by the wider benefit of the scheme delivering 100% affordable housing.
- 5.23 The scheme is funded using grant from Homes England and brings with it a significant amount of inward investment into the District, which the Council supports. Grant funded shared ownership housing cannot be subject to local lettings restrictions which means that it is not possible to ensure that this element of the development is protected for local need. However, given that 61% of the homes will be for affordable rent with a local letting requirement this mitigates the impact of unfettered shared ownership homes on what could otherwise have been a market housing development.
- 5.24 It is important to note that this proposal does not constitute or contribute in any way toward the S106 requirement of 13.4% affordable housing committed to be the developers of the wider North Northallerton Development area.

Noise and amenity

- 5.25 Throughout the determination of the earlier Hybrid application, which included outline planning permission for this parcel of land, the question of the impact from and on the operation of Allerton Steel was crucial. This issue has not changed. Discussions are on-going with Allerton Steel with regard to their future operations on the site and in developing the supporting information for this application a number of different scenarios have been modelled in order not to prejudice the future development of the Allerton Steel Business. At the same time the amenity of the occupiers of the proposed new housing development must be carefully considered and protected.
- 5.26 With these two issues in mind the applicant's acoustic consultant has carried out a detailed assessment of the noise profile of the area, building on work carried out during the course of the hybrid application. This has assessed the impact of no change at Allerton Steel as well as a relatively significant extension to their operation in order to understand what would happen should that scenario be followed.
- 5.27 The main noise sources in the area are Darlington Road to the west of the site, traffic on the new North Northallerton Link Road, Allerton Steel and other businesses in the locality. Background noise levels are relatively low and dominated by road noise and the general hum from the air handling system at Allerton Steel.
- 5.28 The most significant and potentially disturbing noise is created from processes within and around the Allerton Steel plant. These are associated with the handling and processing of steel and can result in single or repetitive noises which are clearly audible above the background levels.
- 5.29 The proposed development is some 75m away from the existing boundary of the plant and the application proposes an acoustic screen along with built fabric mitigation measures within the construction of the proposed dwellings.
- 5.30 The proposed development has been subject to the scrutiny of the HDC Environmental Health team who have assessed the submission and sought clarification on a number of matters. It is now considered that, subject to suitable conditions requiring the installation of the acoustic measures as discussed in earlier paragraphs, that the proposed development will not have a prejudicial impact on the operation of Allerton Steel and that the occupiers of the proposed development will benefit from an acceptable level of residential amenity, in terms of the noise environment.
- 5.31 Moving on from noise to other amenity matters, an assessment of the proposed development in terms of the layout of the dwellings, their relationship to one another, along with the provision of private amenity space, allows the view to be formed that the proposed development will result in an overall satisfactory level of amenity. It is noted also that the proposals are supported by the Police Architectural Liaison Officer in terms of designing out crime.

Highways

- 5.32 The Highway Authority raised a number of issues regarding details contained within the layout. These issues were mainly matters of clarification and minor alterations to footways and parking spaces. These amendments have been incorporated into the layout for the development.
- 5.33 Other matters relate to legal matters with regard to the connection to the Highway network. The Link Road, to which this development will connect is not complete and at the time does not form part of the adopted highway network. As such the applicant is currently unable to demonstrate that they can provide a means of access to the site.

- 5.34 The question of the wider highways and junction related impacts of the development of this site were considered through the course of the Hybrid application and as such the potential off-site impacts of the additional traffic generated by this proposal are considered to have been addressed.
- 5.35 Broadacres has carried out some minor modifications to the layout in order to address the concerns of the Highway Authority. The further response of the Highway Authority is awaited.
- 5.36 The proposed layout is considered to be safe and acceptable and will not result in any detrimental impact on road safety in the vicinity of the application site.

Drainage and Flooding

- 5.37 During the course of the development of the Master Plan for North Northallerton and the subsequent approval of the Hybrid application a great deal of detailed assessment and design work was carried out in order to ensure that the drainage strategy for the site would be successful, would not result in flooding elsewhere and would meet the stringent discharge requirements set by the Internal Drainage Board.
- 5.38 The application has been subject to consultation with the Environment Agency, the Internal Drainage Board, The Lead Local Flood Authority (NYCC) and HDC's own drainage Engineer.
- 5.39 The Broadacres application includes a drainage strategy which includes a master plan for surface water management. The scheme is based on storage in larger diameter pipes and ponds, if that is realised then there will be no need to restrict the sites as there will be central storage. The principles of the strategy were sound.
- 5.40 The wider strategy breaks down the whole site into discreet drainage zones, incorporating appropriate levels of surface water attenuation in order to ensure that the discharge rates into the local water course, set by the Internal Drainage Board, are not exceeded.
- 5.41 It is noted that the Environment Agency state that the site is within Floodzone 2 where Standing Advice applies. This is not the case. A proportion of the wider North Northallerton development area is within Flood Zones 2 and 3. However, all of the Sheepcote site is within Floodzone 1, the area at least risk of flooding.
- 5.42 Following consultation advice, officers are satisfied that the proposed Sustainable Urban Drainage proposals are appropriate and meet the requirements set out in the work carried out on drainage matters at the time of the Hybrid application. It is considered that the proposed development will have no detrimental impact on the hydrology of the area and will not result in a higher risk of flooding elsewhere.

Ecology

- 5.43 The ecological implications of the proposed development of this site were addressed and found to be acceptable, through the Environmental Statement submitted in support of the Hybrid application. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by (amongst other matters), minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 5.44 The application site is former agricultural land, which exhibited little in terms of ecological habitat. The proposed development represents an opportunity for

ecological enhancement. The application proposes the installation of nesting boxes for birds and bats.

- 5.45 It is considered that the proposed development will have no detrimental impact on the ecological environment and will lead to a small degree of ecological enhancement. The proposed development is considered to comply with the requirements of the NPPF and relevant Local Development Framework policy.

Other Matters

- 5.46 There are some outstanding issues raised by consultees which need to be resolved. Given the history of the site, however, being allocated for mixed use and with outline consent for residential use, these are, however, matters of detail rather than principle. It is therefore considered that if these are not resolved prior to the final update being provided to Councillors that delegated powers should be sought to allow officers to complete the application.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered:
SK315 Revision G,
SK320 Revision C

received by Hambleton District Council on 01.03.2019 and:

SK101 Revision B
Sk102 Revision B
SK201 Revision B
SK202 Revision B
SK201 Revision B
SK202 Revision B
SK301 Revision B
SK302 Revision B
SK401 Revision B
SK402 Revision B
SK501 Revision B
SK502 Revision B
SK601 Revision B
SK602 Revision B
SK701 Revision B
SK701 Revision B
SK801 Revision B
SK802 Revision B
SK901 Revision B
SK902 Revision B
SK1001 Revision B
SK1002 Revision B

received by Hambleton District Council on 20.12.2018 unless otherwise approved in writing by the Local Planning Authority.

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. Prior to the commencement of any development above ground level a comprehensive specification of materials designed to prevent noise break-in as set out in the applicants acoustic assessment, shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed and maintained in accordance with the approved details.
5. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0700 hours and 2100 hours Monday to Friday, 0700 hours to 1700 hours Saturday and there shall be no such work on Sunday or on any public holidays.
6. No development, other than the formation of the access, shall take place until details of the proposed means of disposal of foul water drainage from the application site, including details of any balancing works , off-site works and phasing of the necessary infrastructure , have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge shall not exceed 4 (four) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works .
7. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

The reasons for the above conditions are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policy(ies) .
3. In order that the character and appearance of the proposed development is appropriate and to accord with the requirements of Development Policy DP32.
4. In order to protect the amenity of the future occupiers of the development and to accord with the requirements of Development Policy DP1.
5. In order to protect the amenity of residential occupiers in the vicinity of the application site and to accord with the requirements of Development Policy DP1.
6. To ensure that no foul water discharges take place until proper provision has been made for their disposal and to ensure compliance with Development Policy DP6.

7. To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network and to ensure that the proposed development accords with the requirements of Development Policy DP6.