

Parish: Huby
Ward: Huby
2

Committee date: Thursday 25 April 2019
Officer dealing: Miss Charlotte Cornforth
Target date: Friday 3rd May 2019

18/02660/FUL

**Construction of 12 dwellings
At Land to the south of Robin Lane, Huby
For Broadacres Housing Association**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located towards the southern end of Huby, lying to the north west of Baston Lane (Tollerton Road) and south of Robin Lane. The site extends to 0.4 hectares and currently comprises of relatively flat pasture land.
- 1.2 The northern edge of the site is formed by Robin Lane, which provides access from the main street to a small number of dwellings, and principally the car park to sports pavilion and playing fields situated to the north of the site. A hedgerow runs along the length of the northern boundary.
- 1.3 The application site is bound along its southern and eastern boundaries by the rear gardens and the School playing field. Adjoining farmland is situated to the west comprising a mixture of small pastoral field and large arable fields enclosed by hedgerows and scattered trees.
- 1.4 There is one tree (Oak) on site which is covered by a group TPO and one tree (Scots Pine) that falls out of the TPO area. The condition of these trees has been assessed within an ecological survey, indicating the Scots Pine in good condition and the Oak to be in poor condition with rot. Both are proposed to be felled as part of the proposal.
- 1.5 The proposal seeks the construction of 12 affordable dwellings as a rural exception site; 8 x 2 bedroom, 4 person, 2 storey dwellings (79 square metres) and 4 x 3 bedroom, 5 person, 2 storey dwellings (93 square metres)
- 1.6 Plots 3 and 12 are detached dwellings and the rest are semi-detached dwellings. Each dwelling will have 2 car parking spaces, in curtilage bin storage and a garden store that could be used as a cycle store.
- 1.7 Vehicular access to the site is between the two dwellings, 1 South View and The Croft on Baston Lane. The width of the access is 5.5 metres towards Baston Lane and decreases to 4.8 metres in width on entry to the site. The turning head is 5.5 metres to allow a refuse vehicular to turn and leave the site in a forward gear.
- 1.8 The layout comprises of a linear road, with 5 dwellings to the east and the remaining 7 to the west, with a private turning area. 2 car parking spaces are proposed to 1 South View, given that their driveway and car parking displaced through providing the vehicular access to the site. There are also 2 visitor spaces proposed to the south east of the site.
- 1.9 A detailed plan showing the proposed boundary treatments has been submitted, with 1.8 metre close boarded fences proposed between each dwelling the neighbouring dwelling on the southern and eastern boundaries of the site.

- 1.10 A 1.2 metre picket fence is proposed on the western and northern boundaries, either side of the hedgerow. A gate is proposed at the end of the road way to allow access to the adjoining field.
- 1.11 The agent has advised:
That the current access to the field is via Robin Lane which is more than likely the historic access to these fields. However, the proposed new access through to the field would be better as it will be much easier for vehicles transporting stock with cattle wagons and for modern farm machinery which now struggles to negotiate the narrow Robin Lane access, which has pinch points very close to existing dwellings. The current access is also made more difficult for agricultural traffic by virtue of its junction position on to Main Street, which can often have on-street parking close to the junction.
- 1.12 The site is not located within a Conservation Area or Area of Outstanding Natural Beauty, nor is located close to a Designated Heritage Asset. It is noted that the ridge and furrow field system within the site is identified by NYCC Heritage Services as a Non Designated Heritage Asset.
- 1.13 Discussions have taken place during the course of the application regarding a proposed path across the adjacent field to the cricket pavilion. The agent has consulted with the land owner who is opposed to having this in place, though no reason is given for this response.
- 1.14 Amendments have been sought during the course of the application. These include:
- A hedgerow around the perimeter of the site
 - Removal of the footway on the eastern side of the road near plot 7
 - Confirmation that the access to the field will be used by the land owner to access the fields to the north
 - Increasing the length of the turning head by 1 metre to allow space for a refuse vehicle. An amended swept path analysis plan has been submitted.
- 1.15 Clarity and further details has also been sought and on the following matters:
- The red and blue line plan
 - The bedrooms being labelled 1, 2 and 3 on the floor plans
 - A plan showing where the parents park now when they drop the children off at school
 - An additional sectional drawing showing the ground levels for both the existing site and proposal
 - Each car parking space labelled to show which dwelling it serves and a path showing how each dwelling is then accessed from the car parking spaces
 - A plan showing the which areas of land the occupiers are intended to maintain and which areas Broadacres will maintain
 - A plan showing the visibility splays from the new access point

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 12/01243/FUL - Construction of 34 dwellings with associated car parking/garaging, new school 'drop off' area and formation of a new vehicular access. Alterations and single storey extension to existing dwelling (1 South View); Planning permission refused 18th December 2012. Appeal dismissed 27th May 2015.

The reasons for refusal were:

1. The proposal is an unsustainable development on a site outside of the Development Limits of Huby without justified exceptional circumstances and is therefore contrary to policies CP1, CP2, CP4 and CP6 of the Hambleton Local Development Framework and will prejudice the outcome of the ongoing Neighbourhood Plan process contrary to the provisions of the National Planning Policy Framework.

2. The proposed development fails to deliver a sufficient level of affordable housing without reasoned justification, contrary to Policy CP9 of the adopted Core Strategy which stipulates a target of 50% affordable housing for the application site.

3. The proposed development fails to deliver a sufficient level of public open space, sport and recreation facilities contrary to Policy DP37 of the Development Policies Development Plan Document which requires new housing developments to contribute towards the achievement of the local standards by reducing or preventing both quantitative and qualitative deficiencies in provision related to the development.

4. The proposed development fails to contribute towards additional children's services and facilities contrary to Policy DP2 of the adopted Development Policies Development Plan Document, which requires contributions from developers where existing services in the area have insufficient capacity to cater for the potential increase in the number of children, or are inappropriately placed to serve the development having regard to the need to minimise travel, consistent with Policy CP2 of the adopted Core Strategy.

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 CP3 – Community assets
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP8 – Type, size and tenure of housing
Core Strategy Policy CP9 & CP9A – Affordable housing
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP21 - Safe response to natural and other forces
Development Policy DP1 - Protecting amenity
Development Policy DP3 - Site accessibility
Development Policy DP4 - Access for all
Development Policy DP6 – Utilities and infrastructure
Development Policy DP8 - Development Limits
Development Policy DP9 - Development outside Development Limits
Development Policy DP10 - Form and character of settlements
Development Policy DP13 – Achieving and maintaining the right mix of housing
Development Policy DP15 – Promoting and maintaining affordable housing
Development Policy DP30 - Protecting the character and appearance of the countryside
Development Policy DP32 - General design
Development Policy DP33 - Landscaping
Development Policy DP43 - Flooding and floodplains
Interim Guidance Note - adopted by Council on 7th April 2015
Size, Type and Tenure of New Homes SPD - adopted September 2015
Affordable Housing SPD – adopted April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Huby Parish Council – unanimously agreed to object to the application. Although they acknowledged there is a need for affordable housing in the village, they are concerned about the site. The Parish Council feel there are better sites within the parish and feel this is an appalling site, which was previously rejected due to access. The Parish Council note the concerns listed within the Broadacres own document and they agree with all concerns.
- 4.2 NYCC Local Highway Authority – no objection, subject to conditions.
- 4.3 NYCC Archaeology – The development area contains the well preserved remains of part of a medieval ridge and furrow field system. The field system covers fields to the west of the village north and south of the recreation field. The ridge and furrow is a heritage asset in its own right and is certainly of local interest in that it relates directly to the medieval settlement at Huby.

The proposal will have a localised impact on part of the medieval field system but will not destroy it in its entirety. The local authority should take into account the value of the ridge and furrow, which is a non-designated heritage asset, when forming its planning decision (NPPF paragraph 197).

- 4.4 Environmental Health – no objection as the development will not cause a nuisance and impact upon amenity.
- 4.5 Environmental Health (Contaminated Land) – the Phase 1 Desk Study (Solmek Ltd, Report S181132, November 2018) submitted in support of the above development identifies potential risks from contamination and therefore recommends a Phase 2 site investigation.

The Phase 2 Site Investigation Report (Solmek Ltd, Report S181132, January 2019) submitted in support of the above development identifies one area of contamination, in the central southern part of the site, with the potential to pose a significant risk to human health. The report discusses mitigation measures such as the introduction of a clean cover system and suggests additional soil sampling to delineate areas of contamination. A summary of the conclusions and recommendations appears to have been omitted from the report. Ground gas monitoring results will be presented as an addendum report.

Conditions are suggested in terms of further investigation, remediation and verification conditions.

- 4.6 Yorkshire Water – Yorkshire Water promotes the surface water disposal hierarchy. The developer has provided evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical (see Flood Risk & Drainage Philosophy prepared by Billingham George & Partners dated 02/11/2018).

Yorkshire Water therefore agrees that curtilage surface water may discharge via storage to the 375 mm diameter public surface water sewer recorded in Tollerton Road, at a point to the south of the site, with a restricted discharge of 3.5 litres per second.

The drainage details submitted on drawing 18T2167-103 (Rev P1) dated 30/11/2018 prepared by Billingham George & Partners will still require some clarification but the matter can be controlled via condition if planning permission is granted. i.e. a re-submitted drawing should show surface water storage and flow control rate.

On the Statutory Sewer Map, there is a public surface water sewer recorded to cross the site. It is essential that the presence of this infrastructure is taken into account in the design of the scheme and, based on the current submitted site layout; it would appear that the sewer is unlikely to be affected by building-over proposals.

A proposal by the developer to alter/divert a public sewer will be subject to Yorkshire Water requirements and formal procedure in accordance with Section 185 Water Industry Act 1991.

- 4.7 Lead Local Flood Authority – objected at the start of the application on the basis that the applicant has not demonstrated that the development will not increase flood risk elsewhere, in accordance with the NPPF.

However, discussions took place between the Lead Local Flood Authority, the applicant's drainage engineers and Yorkshire Water.

It is understood that Yorkshire Water Services have no issues on the surface water network from the proposed connection point to the watercourse downstream and Yorkshire Water are happy to accept the 3.5 l/s runoff rate from the site. As the site does not currently drain to the public surface water sewer in Baston Lane, it will increase demand on the Yorkshire Water sewer. However, as the sewer is adopted by Yorkshire Water Services, the LLFA is satisfied that there would be means of alleviating any future issues.

The LLFA has withdrawn its objection.

- 4.8 Kyle and Upper Drainage Board - the application will increase the impermeable area to the site and the applicant will therefore need to ensure that any existing or proposed surface water system has the capacity to accommodate any increase in surface water discharge from the site.
- 4.9 RAF Linton on Ouse – no response received to date.
- 4.10 Environment Agency – no response received to date.
- 4.11 Rural Housing Enabler (Housing Services) - This proposal is to provide 12 affordable units on a 100% affordable Rural Exception Site, to meet an identified housing need.

The proposal comprises of 8 x 2 bed houses and 4 x 3 bed houses, all meet the meet the Council's minimum space standards and the Nationally Described Space Standards.

There has been a consistent identified housing need since 2010, with no affordable housing delivered in this period. The need in 2018 stands at:

- 9 singles, 3 couples and 5 families needing properties a total of 17 homes
- Need for 1 x 1 beds, 12 x 2 beds and 4 x 3 beds

Experience has shown (Linton on Ouse, Newton on Ouse, Hutton Rudby) that the hidden need will be identified once a development is approved and work commences, therefore an increased need is anticipated. Housing supports this application and welcomes the smaller properties proposed.

- 4.12 Public comments – 22 letters of objection have been received regarding the proposal and 2 letters of support. A summary of the objections are:
- There is no need for 12 affordable houses in the village

- The proposed development is essentially unjustifiable since it promotes unnecessary expansion of a service village with nominal employment opportunities and without any agreed land allocation as part of the local development framework.
- There are more suitable sites in the village
- Access to the site is dangerous due to its proximity to the bend
- This section of Tollerton Road (Baston Lane) is already congested due to recent housing and the school. This proposal will exacerbate the existing traffic problems
- The amount of agricultural machinery will be increased due to the farmer having access from the site into the fields
- The access is a crossing route for children and parents walking to school
- Drains in the lower half of Huby are already frequently unable to cope during such weather events, and so runoff from this site could only worsen the current situation
- Poorly designed scheme in the form of block housing
- Local ecology value of the land
- By virtue of the size, depth, width, height and massing of the development, it would have an unacceptable adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area causing overlooking, loss of privacy and visually be overbearing
- The small garden sizes do not comply with the expectations laid out in Hambleton's Affordable Housing Supplementary Planning Document relating to affordable housing quality that seeks 'good size gardens'.

The letters of support outline that there is need for affordable housing for local families, there has been a failure to provide affordable homes in the village in recent permissions and the new residents will be able to support local facilities, including shop, pubs, sporting facilities, the local school and community activities.

5.0 ANALYSIS

- 5.1 The main considerations with respect to this proposal are (i) the principle of residential development at the site; (ii) the impact on the character and appearance of the village; (iii) heritage assets; (iv) residential amenity; (v) ecology and trees; (vi) highway safety; (vii) flood risk and drainage; (viii) land contamination and (ix) the planning balance

The principle of development, including housing size, type and tenure

- 5.2 This site is a greenfield site outside the Development Limits of Huby which is identified as a Service Village within the Settlement Hierarchy (Policy CP4). Policies CP4, DP8 and DP9 identify criteria for assessing development outside Development Limits. Policy CP9A relates specifically to rural exceptions sites.
- 5.3 Policy DP9 states that permission will only be granted outside Development Limits in exceptional circumstances having regards to the provisions of Policy CP4. CP4 supports development within the Development Limits of the settlements in the hierarchy where that development is of a scale and nature appropriate to secure the sustainability of each settlement. Furthermore, Policy CP4 stipulates that development in other locations will only be supported when an exceptional case can be made for the proposal in terms of policies CP1 and CP2, and where...iii it provides affordable housing which meets an identified local need...which cannot be met in a settlement within the hierarchy.
- 5.4 Policy CP9A supports small scale development, outside but adjacent to development limits of Service Villages, where 100% affordable housing is provided to meet an

identified local need that cannot be met in a settlement within the settlement hierarchy. Proposals should not conflict with the environmental protection and nature conservation policies of the LDF and should provide any necessary mitigating or compensatory measures to address harmful implications.

- 5.5 This proposal is outside but immediately adjacent to the Development Limits of Huby. The scheme is for twelve dwellings, which is considered to be suitably small scale in relation to the scale of the existing village. This differs from the previous refusal on the site that sought the construction of 34 dwellings and that did not meet the affordable housing provision. The Inspector concluded that “On balance I consider that the negative aspects of this proposal, particularly its failure to provide an adequate number of affordable dwellings, significantly and demonstrably outweigh the benefits”.
- 5.6 The twelve units comprise of 8, 2 bedroom units and 4, 3 bedroom units. They all meet Nationally Described Space Standards and residents living in, or with a local connection to, Huby and Easingwold would be eligible to apply.
- 5.7 Housing Needs Survey as noted above shows a total need of 17 one, two and three bedroom units.
- 5.8 The housing needs as shown to include a mix of tenures, rented, intermediate tenures and open market. There is considerably doubt whether the 9 households that seek open market units are able to compete on the open market due to their modest level of income and the cost of open market homes.
- 5.9 It is considered that there is clear evidence to indicate that there is a local need for affordable housing and that this proposal would help to meet that identified local need. No affordable homes have been delivered in Huby since 2004.
- 5.10 Consequently, the proposal is considered to be in line with the requirement of CP9A in terms of meeting an identified need, and associated guidance within the Affordable Housing SPD. A legal agreement is being prepared to secure that the dwellings are to be occupied by local people in housing need.
- 5.11 In this case the proposal presents an exceptional case for development outside Development Limits on the basis of meeting an identified local need which could not be met within the Development Limits of Huby. The development is therefore in accordance with this element of Policies CP9A and CP4iii.
- 5.12 With regard to the provisions within policies CP1 and CP2, it is considered that the proposed scheme would help to reduce social inequalities and disadvantages within the community by developing much needed affordable homes for local people, and would also help to enhance the vitality of the village in accordance with criterion vii.
- 5.13 In terms of reducing the need to travel, there are a good range of facilities within Huby. These include:
 - Huby Church of England Primary School
 - Recreation Ground
 - Playground
 - 2 pubs – The Mended Drum and The New Inn
 - The New Inn Motel
 - Fish and Chip shop
 - Barkers of Huby Village Shop And Post Office

- A bus route that provides links to Crayke, Easingwold, Sutton on the Forest, Wigginton, York Hospital and York City Centre (Service Number 40) that runs on an hourly basis through the week
- A variety of clubs, including children's football, cricket, bowls, toddlers, beavers, cubs, scouts, rainbows, brownies, amateur dramatics and keep fit
- Memorial Village Hall

5.14 In light of the above, it is considered that the principle of development including housing size, type and tenure of the dwellings is acceptable,

The character of the village

5.15 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."

5.16 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.

5.17 The proposed development represents a logical extension to the village, whilst the proposed layout reflects the existing grain of development where new development has occurred to the rear of the main road frontage.

5.18 The proposed house-types reflect the traditional character of Huby. The proposed dwellings take inspiration from nearby "cottage" style dwellings with low eaves levels and red-brick dwellings with projecting gables. The proposed palette of materials will reflect the prevailing vernacular of Huby and therefore provide a visual link to the village.

5.19 The development would extend onto an area of open agricultural land. However the site is well screened by trees, fences and hedgerows. The application site is not located within a nationally important or other designated landscape. Consequently, it is envisaged that the proposed development will not appear as an intrusive feature within the landscape.

5.20 It is considered that the proposal would have a limited harmful impact upon the open character and appearance of the surrounding countryside. It also considered that the development would not lead to the coalescence of settlements.

Heritage assets

5.21 The NPPF in paragraph 197 requires the Council to take into account the effect of development on the significance of heritage assets, which may be designated or non-designated.

5.22 The site does not lie within close proximity to any designated heritage assets such as a listed building or a conservation area but the development area contains the well preserved remains of part of a medieval ridge and furrow field system that is regarded as a non-designated heritage. This is due to its reflection of medieval agricultural practice and therefore meets the criteria its age, as a historic landscape feature and archaeological interest.

- 5.23 The field system covers fields to the west of the village north and south of the recreation field.
- 5.24 The proposal will have a localised impact on part of the medieval field system but will not destroy it in its entirety. In assessment of the application, it is considered that the proposal will not involve the total loss of the non-designated heritage asset.

Residential amenity

- 5.25 "The Croft" is likely to be the most affected neighbouring dwelling by virtue of the proposed access arrangements which will run alongside its side elevation and side garden space. The occupiers of "The Croft" will experience a change in environment as a consequence of vehicle movements along the side boundary, particularly during peak hours. The existing boundary fence will be retained.
- 5.26 Due to the separation distances and relationships between the plots and the neighbouring dwellings and the proposed boundary treatments, the proposal would not prejudice residential amenity by being overbearing in presence, and would not cause a loss of light or loss of privacy.
- 5.27 Each dwelling would have adequate private amenity space commensurate to its size and number of bedrooms. There is adequate bin storage as shown on the submitted layout plans within the gardens of the proposed dwellings and a bin collection point.
- 5.28 It is considered that the proposal would not be detrimental to residential amenity in accordance with Policies CP1 and DP1.

Ecology and trees

- 5.29 The application has been accompanied by a Preliminary Ecological Appraisal Report from Stuart Johnson (November 2018). The report states that the grassland habitats on site are all of low ecological value and are easily re-creatable. The most important features on site are the scattered deciduous trees providing a limited potential nesting for birds.
- 5.30 It is recommended that wherever possible the trees are retained in situ, maintained and enhanced by supplementary planting. Should this not be possible additional planting within the site should be undertaken utilising native and locally sourced species in order that there is no net loss within the site.
- 5.31 The proposal does involve the removal of both the Oak and Scots Pine trees. There will be an additional 3 trees planted as part of the proposal. This will ensure that there will be no net loss of species throughout the site.

Highway safety

- 5.32 The application has been accompanied by a Transport Statement from Paragon Highways (December 2018).
- 5.33 The proposed dwellings will be accessed off a single point of access onto Baston Lane in the form of a simple priority junction.
- 5.34 It is proposed to provide a new access onto Baston Lane to meet current NYCC standards and those contained within the Manual for Streets 1 & 2. The access will have a minimum of 4.6 metre kerb radii and a 5.5-metre-wide carriageway allowing for a vehicle to completely manoeuvre off the public highway when entering the site, so that the safe and free flow of traffic is maintained.

- 5.35 The proposed access and general layout include adequate internal turning provisions to allow for a car and a large delivery vehicle to enter and exit the site in a forward gear. Access to the adjacent field is to be maintained through the site.
- 5.36 Visibility for egressing drivers where the proposed access meets Baston Lane is to be provided to meet current standards contained within the Manual for Streets 1 & 2. This is 2.4 metres by 90 metres in a westerly direction and 2.4 metres x 70 metres in an easterly direction. Sufficient area is available to meet the guidance in both directions due to the highway layout at this point.
- 5.37 The comments from the Parish Council and neighbours in terms of the access, highway safety and congestion have been carefully considered. The Transport Statement has been assessed by NYCC Highways who have raised no objection to the proposal, subject to conditions, the concerns of neighbours are not supported by the relevant policies and the history as set out early does not record a refusal on highway grounds.
- 5.38 It is considered that based upon the details that have been submitted, the proposal will not be detrimental to highway safety.

Flood risk and drainage

- 5.39 The application has been accompanied by a Flood Risk and Drainage Philosophy by Billingham George & Partners Civil & Structural Consultants (November 2018).
- 5.40 The application site is located in Flood Zone 1 where land is assessed as having a less than 1 in 1000 annual probability of river or sea flooding (low probability). The site has been assessed as being at low risk from other forms of flooding.
- 5.41 The total impermeable area of site equates to 0.24 hectares. The existing site is classified as greenfield throughout with overland flow following the existing contours from the north to the south. Only a small portion of surface water is expected to disperse via natural infiltration into the soils due to the high ground water table. It is considered that infiltration by soakaways or any other adequate infiltration system will not be suitable.
- 5.42 It is proposed to discharge the surface water to the existing Yorkshire Water sewer located to the south of the site at an agreed restricted discharge rate of 3.5 l/sec.
- 5.43 It is proposed attenuate on site via oversized pipes up to the 1 in 30 year event and up to and including the 1 in 100 year + 40% climate change event by means of a cellular storage attenuation tank under the private road area.
- 5.44 Yorkshire Water have confirmed that site generated foul drainage may discharge unrestricted to the 150mm diameter foul sewer within Baston Lane to the south, between manholes MH 15 and 5.
- 5.45 All drainage infrastructure beneath the highway including the oversized pipes are to be adopted by Yorkshire Water. Proposed cellular storage is to be privately maintained and managed.
- 5.46 It is considered that the demands on the infrastructure of the village arising from the development would not be so great that the infrastructure would be unable to cope with the additional development or cause harm to the amenity of the village

Land contamination

- 5.47 A Phase 1 Desk Study (Solmek Ltd, Report S181132, November 2018) submitted in support of the above development identifies potential risks from contamination and therefore recommends a Phase 2 site investigation.
- 5.48 The Phase 2 Site Investigation Report (Solmek Ltd, Report S181132, January 2019) submitted in support of the application identifies one area of contamination with the potential to pose a significant risk to human health. The report discusses mitigation measures such as the introduction of a clean cover system and suggests additional soil sampling to delineate areas of contamination.
- 5.49 Conditions are suggested in terms of further investigation, remediation and verification conditions. It is considered that the proposal will not pose a significant risk to human health if the further investigation, remediation and verification work is carried out.

Planning balance

- 5.50 The proposal would create and deliver twelve affordable homes that would meet a locally identified need, without causing harm to the appearance of the settlement, or highway safety or the capacity of local infrastructure and the impact upon the openness of the landscape is not severe. The proposed development is considered to be of high quality design in accordance with the principles of the LDF and the NPPF. The proposed dwellings reflect the traditional characteristics of Huby, whilst sufficient car parking and private amenity space would be provided.
- 5.51 The impact of the ridge and furrow is noted to be harmful to the non-designated heritage asset.
- 5.52 The scheme is found to result in social gains through the provision of new, affordable housing, the economic impact through the development would be small but positive and the environmental impacts as a consequence of the development result in harm but the benefits of providing affordable housing is considered to outweigh the harm to the ridge and furrow field system. No other material considerations would preclude a grant of planning permission. Overall the scheme is found on balance to be acceptable.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations and prior completion of a **planning obligation to secure local access to the affordable housing**, 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)

Site Location Plan 001-PL-8342 Rev C
Proposed Site Plan 003-PL-8342 Rev D
Highway Long sections 18T2167-116 P1
Visibility Splays 18T2167-902 P1
Section Plan 300-PL-8342
Swept Path Analysis 18T2167-901 P2
Proposed External Works Plan 18T2167-110 P2
Proposed Drainage Plan 18T2167-130 P2

Boundary Treatments 004-PL-8342 Rev C

Proposed Floor Plans and Elevations 3 bedroom 5 person detached 102-PL-8342 Rev A.

Proposed Floor Plans and Elevations 3 bedroom 5 person semi-detached 101-PL-8342 Rev A.

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. The following land contamination investigation, remediation and verification conditions must be addressed sequentially.

The outcome of the investigations will indicate the further site investigation, remediation and verification that may be required. In all instances if contamination is found or suspected at any time during development that was not previously identified all works shall cease and the Local Planning Authority shall be notified in writing immediately. No further development shall be undertaken until a detailed site investigation and risk assessment, having regard to current best practice, has been carried out. Where remediation is necessary a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority before any further development occurs. (See Notes for Applicant CL2 and CL4)

5. No development shall commence until a 'Phase 3' Remediation Strategy, having regard to current best practice, has been submitted to and approved in writing by the Local Planning Authority unless the outcome of the 'Phase 2 Investigation' shows that remediation is not required.(see Note for Applicant CL4)

6. No further development shall commence until the approved remediation scheme has been implemented.

7. In the circumstances that remediation has been required the development shall not be occupied until a Verification Report, having regard to current best practice, has been submitted to and approved in writing by the Local Planning Authority. (see Note for Applicant CL5)

8. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

9. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.

10. No development shall take place until a suitable maintenance of the proposed SuDS drainage scheme arrangement has been demonstrated to the local planning authority. Details with regard to the maintenance and management of the approved scheme to include; drawings showing any surface water assets to be vested with the statutory undertaker/highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved

drainage scheme/sustainable urban drainage systems throughout the lifetime of the development.

11. The details relating to boundary walls, fences and other means of enclosure for all parts of the development shall be implemented in accordance with the approved details and retained thereafter.
12. Highway matters regarding access, parking, turning, footways, construction phase.

Reasons

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 Policies CP17 and DP32.
3. 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 Policies CP17 and DP32.
4. To ensure safe development of the site and to protect human health and the environment.
5. To ensure safe development of the site and to protect human health and the environment.
6. To ensure safe development of the site and to protect human health and the environment.
7. To ensure safe development of the site and to protect human health and the environment.
8. In the interest of satisfactory and sustainable drainage.
9. To ensure that no surface water discharges take place until proper provision has been made for its disposal.
10. To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage system.
11. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.