

**Parish: Ingleby Arncliffe**  
Ward: Osmotherly & Swainby  
**10**

Committee date: 09 January 2020  
Officer dealing: Mr Peter Jones  
Target date: 18 September 2019

**19/01448/OUT**

**Outline application (some matters reserved) for the demolition of existing school and construction of four dwellings and access as amended by email received by Hambleton District Council on the 26 November 2019.**

**At Ingleby Arncliffe Church Of England VC Primary School, Ingleby Arncliffe, North Yorkshire, DL6 3NA**

**For Mr Simon Quartermaine**

**This application is referred to Planning Committee at the request of a Member of the Council**

## **1.0 BACKGROUND**

- 1.1 This application was deferred at the October 2019 Planning Committee to allow further discussions to allow the issue of locally identified housing need to be addressed by the applicant.
- 1.2 The first part of this report sets out an updated position from the applicant along with an explanation of the wider housing opportunities on this site and beyond, provided by the Council's Rural Housing Enabler. The remainder of the report, except for paragraph 5.7 which comprises the commentary from the Rural Housing Enabler, remains the same as previously reported.
- 1.3 The applicant has provided a further statement with regard to the proposals. This statement is summarised below:
  - The application is an outline application with all matters reserved except access, included only to serve the land to the rear to facilitate an affordable housing scheme.
  - Advise that the NPPF (2019) supports the development in its overarching presumption in favour of sustainable development, in its advice on rural housing and making effective use of land.
  - The principle of residential use of this land is accepted.
  - Consider that the use of previously developed land within the development limits of Ingleby Arncliffe for new housing, which would support local services, is acceptable.
  - This is an outline application for a modest infill site within the village which seeks approval for the residential use of the site for 4 dwellings and provides the opportunity for access to serve land to the rear for an exception site for affordable housing.
  - The application enables an affordable housing scheme to be brought forward by a preferred housing provider (on the neighbouring site to the rear) by establishing the residential use of the site and the provision of a road to an adoptable standard to serve the development for affordable housing.
  - Under normal circumstances the site would be advertised by appointed agents, as a development opportunity and sold at open market value. Whilst that would enable a housing provider to make a bid they would be in competition with other parties who may be able to offer more or complete more quickly.
  - Mindful of the Parish's objectives the Diocese and their agent have had discussions limited to Beyond Housing, on a comprehensive development of the school and its playing fields site and understand that this has reached a general agreement.

- The only way the development can proceed is by the Diocese obtaining planning permission for its site thus fixing the use of the land for a fair valuation and providing the Diocese with a fall-back should the proposal with Beyond Housing not proceed. (The scheme would still protect the opportunity for development of the land to the rear for affordable housing which could be undertaken by any housing provider)
  - At this stage should the application be refused then the real possibility exists that the Diocese would have to accept that a comprehensive development would not be possible and sell the site as it exists on the open market. This could then prevent any possibility of development for affordable housing occurring on the school field to the south, since the only access to this land is via the school. It might also prevent any housing development dependant on who buys the Diocese land and for what purpose.
  - We would be pleased to have the word “detached” removed from the description.
- 1.4 Whilst the development of the land to the rear does not form part of the current application, it is clear that the limited numbers proposed and design of the access have been laid out in such a way as to facilitate the development of the site beyond.
- 1.5 The current application effectively forms a fall-back position for the diocese should the wider development of the site not take place.
- 1.6 The Council’s Rural Housing Enabler has provided confirmation that matters are progressing with the proposals for an affordable housing driven development including this parcel of land along with a parcel beyond.
- 1.7 In conclusion, this proposal represents an opportunity to facilitate the development of affordable housing through the delivery of a wider parcel of land accessed through this site. At the time of the earlier consideration of this application limited information was available with regard to the delivery of the wider site, which has now progressed considerably. As such it is considered that the limited number of units proposed on this site is acceptable and the recommendation remains as set out in Section 7 of the Report, recommending the approval of the scheme.

## **2.0 SITE, CONTEXT AND PROPOSAL**

- 2.1 The application site is a former school located to the north side of the road through the main built form of Ingleby Arncliffe. Ingleby Arncliffe is predominantly residential in character with buildings of various architectural forms, with extensive use of brick, stone and render. The form of the village on this side of the street is generally linear although there are examples of more in-depth development.
- 2.2 The school was constructed in 1972 and operated until its closure in December 2017. The site has remained unoccupied since its closure. The existing building consists of a reasonably sized single storey structure separated from the main highway by a surfaced play area.
- 2.3 There are 9 trees to the front of the site which are covered by a Tree Preservation order.
- 2.4 This application seeks outline consent, considering access, for the demolition of the school building and the construction of four residential dwellings. All other matters are reserved for future consideration. An indicative layout shows 3 dwellings to the south and one to the north of a newly formed access driveway running through the site. Public open space is shown to the south and north sides of the site.

- 2.5 A new 5.5m access is proposed in the location of the current vehicular access. This road will have a 1.5m footway on one side.
- 2.6 The planning statement submitted in support of the application outlines that the “scheme brings forward a solution to redevelop the existing school building with the least effect on protected trees”. Despite this, the development proposed the removal of 1 protected sycamore tree.

### **3.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 3.1 75/1535/FUL - Erection of timber storage shed – Granted
- 3.2 97/50740/P - Extension to existing school – Granted
- 3.3 02/00560/FUL - Classroom extension to existing school as amended by plan as received by Hambleton District Council on 9th May 2002 – Granted
- 3.4 07/01362/FUL - Change of use of land from agricultural to play area – Granted
- 3.5 08/02176/FUL - Revised application for a change of use of land from agricultural to public open space – Granted
- 3.6 09/01592/FUL - Alterations and extension to existing school and formation of a new play area – Granted

### **4.0 RELEVANT PLANNING POLICIES**

- 4.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 – Access  
Core Strategy Policy CP4 - Settlement hierarchy  
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 DP8 - Development Limits  
Development Policy DP9 - Development outside Development Limits  
Development Policy DP10 - Form and character of settlements  
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  
National Planning Policy Framework

### **5.0 CONSULTATIONS**

- 5.1 Ingleby Arncliffe Parish Council – Object to the proposed development for the following reasons;
- Development does not reflect local need;
  - An increase in large houses within the village;
  - Prejudices housing sites availability;
  - Makes affordable and mixed use housing delivery more unlikely;

- Jeopardises progress with the Neighbourhood Plan;
- Application overstates impact of the Village Garden to provide new housing;
- Application is not consistent with the National Planning Policy Framework or the principle of sustainable development; and
- Development would conflict with the street-scene in Ingleby Arncliffe.

5.2 Public Comments – 16 Comments in objection to the proposed development citing;

- Impact upon residential amenity;
- Impact upon the Public Right of Way;
- Impact upon trees;
- Lack of affordable housing provision;
- Highways impacts and lack of turning head;
- Impact regarding general design and form and character of the village;
- Environmental impact of the development including the reuse of construction materials and the lack of sustainability of Ingleby Arncliffe in general;
- Noncompliance with housing requirements within the village; and
- Impact upon progress with the Neighbourhood Plan;

5.3 Highways Authority – No Objections subject to conditions

5.4 Public Rights of Way – See informative

5.5 Environmental Health Officer – No objections

5.6 Northumbrian Water – No comments

5.7 Rural Housing Enabler - I have been working with the community and Neighbourhood Plan group for the past 8 years to identify housing need from the local community, identify possible sites and work in partnership with a Registered Provider (Beyond Housing). The Housing Need Surveys have consistently identified the need for smaller sized properties with some bungalows for older members of the community to improve their quality of life with highly efficient properties on one level.

We have held a number of community consultation events over this period, with the most recent on Thursday 21st November (70 members of the community attended), at this event Beyond Housing presented the latest set of layouts to the community and housing staff offered advice and guidance on how these would be allocated when developed.

The next step is to pull the comments together and make any relevant changes prior to submission of a planning application in the New Year.

## 6.0 ANALYSIS

6.1 The main issues to consider are; (i) the principle of development in this location; (ii) the impact upon the built form and character of the area; (iii) the impact of the proposal upon residential amenity; (iv) drainage; (v) size type and tenure; (vi) highway safety; and (vii) other matters.

### The principle of the development

6.2 LDF policies CP1 and CP2 set a general presumption in favour of housing development within Development Limits. Policy DP8 states that permission for development within Development Limits will be granted provided that it is consistent with other policies within the Local Development Framework

- 6.3 The site is located within the Development Limits for Ingleby Arncliffe with the northern most part of the site sharing a boundary with the Development Limits.
- 6.4 On this basis, it is considered that the principle of residential development in this location is acceptable subject to compliance with other relevant Local Development Framework Policies.
- 6.5 The loss of the school must be considered in terms of the provision of local services which are protected by Development Policy DP5, which states:

*“..Proposals that will lead to the loss of community facilities will only be permitted if: i. there is a demonstrable lack of community need for the facility, and the site or building is not needed for an alternative community use; or ii. retention of the community facility is clearly demonstrated not to be financially viable when operated either by the current occupier or by any alternative occupier; or iii. an alternative facility is provided, or facilities are combined with other facilities, which meets identified needs in an appropriately accessible location.”*

- 6.6 It is understood that alternative school facilities have been provided and that there is no demonstrable need for the school in this location. It is also understood that alternative community uses for the building have been explored, but that the building was found to not be financially viable for re-use owing, in part, to its poor condition.
- 6.7 In summary it is considered that the location is acceptable in principle for the development of housing and the loss of the community use is acceptable in this instance.

#### Built form and character

- 6.8 The built form of the development to the north side of the highway is generally linear in character although there are examples of in-depth development. These are in the form of a coach yard and the existing school (the application site). It is noted that the proposed development will not extend beyond the built form of the existing school.
- 6.9 It is noted that the exceptions to development form are mainly not residential. However, the application does not propose new development of a greenfield site, rather it proposes the re-use of previously developed land.
- 6.10 It is considered that the proposed development can be accommodated without resulting in a harmful impact upon the built form and character of Ingleby Arncliffe.

#### Residential amenity

- 6.11 Policy DP1 requires that all development adequately protects amenity. It is considered that the plot is capable of accommodating 4 dwellings without prejudicing residential amenity by being overbearing in presence, causing loss of light or loss of privacy.
- 6.12 The issue of residential amenity would be addressed as part of a reserved matters application. The site is considered capable of providing adequate private amenity space for the proposed dwellings whilst protecting the amenity of existing occupants in the area.

#### Drainage

- 6.13 There is no evidence to suggest that the proposed development cannot be accommodated by existing drainage infrastructure in the area. It is also noted that Northumbrian Water does not object to the proposed development.

It is considered that surface and foul water can be dealt with within this application through the application of an appropriate condition.

#### Size, type and tenure

- 6.14 Comments are noted from the Parish Council and the public with regards to how the proposed development does not reflect current housing need within the settlement. Comments have also been received with regards to the indicative house types and sizes.
- 6.15 However, this matter would be for future consideration and a condition is recommended to ensure compliance with the relevant Supplementary Planning Document.

#### Highway safety

- 6.16 The proposed development largely makes use of an existing access off the main highway.
- 6.17 The Highways Authority has considered the proposed development and confirmed that they have no objections subject to conditions. On this basis, it is considered that the proposed development will not result in a harmful impact upon highway safety.

#### Trees

- 6.18 The tree coverage to the front of the existing site forms a generally soft visual appearance upon entry to the site.
- 6.19 The proposed development proposes the removal of 1 Sycamore Tree to the front of the site which is subject to a Tree Preservation Order. This is in order to facilitate the provision of the access. All other protected trees on site will be retained and largely incorporated within the proposed public open space.
- 6.20 It is considered that the removal of the tree would not result in a harmful impact upon the visual amenity of the area. Furthermore, the retention of the remaining protected trees on site to form part of the public open space is welcomed.

#### Other matters

- 6.21 Comments received regarding the impact of the proposal upon the delivery of the Emerging Neighbourhood Plan for Ingleby Arncliffe and the allocated sites within it are noted. However, at this time, the details of the Neighbourhood Plan cannot be afforded weight.

#### Planning Balance

- 6.22 The proposed development would introduce 4 dwellings to a parcel of previously developed land within the defined development limits. Furthermore, there is no evidence to suggest that the development would have a harmful impact upon highways safety, drainage, residential amenity or the built form and character of the settlement; the details of which would be reserved for future consideration.

## **7.0 RECOMMENDATION**

- 7.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. Application for the approval of all of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this decision and all of the development hereby approved shall be begun before the expiry of whichever is the later of the following: i) Three years from the date of this permission; ii) The expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
  2. No development shall commence until details of all the reserved matters have been submitted to and approved by the Local Planning Authority: (a) the siting, design and external appearance of each building, including a schedule of external materials to be used; (b) the landscaping of the site; (c) the layout of the proposed building(s) and space(s) including parking and any external storage areas; and (d) the scale of buildings overall.
  3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:
    - (i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority.
      - a. The removal of the existing signs and lines associated with the school site within Ingleby Arncliffe.
    - (ii) A programme for the completion of the proposed works has been submitted to and approved in writing by the Local Planning Authority.
  4. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority. The development shall not be undertaken other than in accordance with the approved details and shall thereafter be retained in accordance with those details.
  5. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
  6. Unless otherwise approved in writing by the Local Planning Authority there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 3:
    - a. The removal of the existing signs and lines associated with the school site within Ingleby Arncliffe.
  7. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- a. vehicular accesses
  - b. vehicular parking
  - c. vehicular turning arrangements
8. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 7: are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
  9. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal
  10. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
    - a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
    - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
    - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
  11. This decision grants permission for no more than 4 dwellings. The size of each dwelling in the reserved matters submission shall reflect the mix and size requirements as expressed in the Size, Type and Tenure SPD.
  12. The details plans required by condition 2 shall indicate no more than four dwellings.
  13. Prior to the commencement of work on site a scheme for the protection of retained trees shall be submitted in writing to and approved by the Local Planning Authority. The approved measures shall be installed on site, prior to the commencement of all other site works and be retained throughout the course of the development of the site.

The reasons are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To enable the Local Planning Authority to properly assess these aspects of the proposal, which are considered to be of particular importance, before the development is commenced.
3. To ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
4. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework Policies CP3 and DP6.



5. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
6. In the interests of the safety and convenience of highway users.
7. To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
8. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
9. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
10. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
11. To ensure that the scope of the decision reflects the proposal made and that the development meets local needs in terms of the size and type of dwellings in accordance with Hambleton Local Development Framework Policy DP13 and the Size, Type and Tenure SPD.
12. To ensure the dwellings are compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
13. In order to ensure that the TPO trees are protected through the course of the development.