

15/02384/FUL

Construction of 143 dwellings, garages, car parking spaces, means of access/egress, POS, landscaping, land for primary school expansion and land for cemetery expansion. at Land East of Thirsk Road and Husthwaite Road, Easingwold for Linden Homes North And GBL Projects (Four) Ltd.

1.0 PROPOSAL AND SITE DESCRIPTION

- 1.1 Full planning permission is sought for the construction of 143 dwellings with associated garages, parking and landscaping in addition to land for the expansion of Easingwold Community Primary School.
- 1.2 The application originally sought permission for 163 units but following revisions to address concerns about the layout, the need to protect views of the Listed Church on the southern boundary and also to allow for further expansion of the Easingwold Community Primary School the number of units has been reduced to 143.
- 1.3 This results in a density of 24 dwellings per hectare of which approximately 71 dwellings (50%) are identified for affordable use, the remaining dwellings being for private residential use. The tenure split of the affordable homes is to be 70% social rent and 30% intermediate tenure. The position of the affordable units has yet to be agreed.
- 1.4 The proposed dwellings are shown as predominantly two storeys in height, however there are eight bungalows proposed along the western boundary of the site. The proposed accommodation would provide a mix of two, three, four and five bedroom dwellings.
- 1.5 The majority of dwellings are proposed to be constructed using red-multi and buff-multi brickwork. Red/grey pantiles and concrete tiles are proposed throughout. Architectural detailing is relatively simple and includes: brick detail to the eaves, contrasting brick band courses, sash-style and casement windows. All dwellings would have private amenity space in the form of rear gardens. Many of the dwellings are shown with a single parking. Seven visitor spaces are shown and in the instances where two parking are provided these are tandem other than on Husthwaite Road frontage where a more generous arrangement is made.
- 1.6 A large area of open space measuring approximately 1,2992m² has been incorporated close to the southern boundary of the site for the expansion of the Easingwold Community Primary School. No land is being retained for the expansion of the cemetery as proposed under the original application.
- 1.7 Private defensible spaces would be separated from the public domain by a series of 1.8m high enclosures ranging from full height timber fences to screen walls. Bins/recycling receptacles can be stored to rear of properties without difficulty.
- 1.8 The site is located on the northern edge of Easingwold, immediately to the east of Husthwaite Road. The site is to have a single access point from Husthwaite Road for both pedestrians and vehicles, with a 5.5m carriageway with 2m footpaths to both sides. The main spine road into the site would contain two internal loops again of

5.5m width with 2m footpaths either side. Access to properties would be gained from private drives.

- 1.9 The site covers an area of 6.08ha and is currently in agricultural use and consists of two open fields and a grazing area to the north. Close to the Husthwaite Road is an area currently used for agricultural storage and horticulture. A derelict and dilapidated red brick farm building and barn are located in this part of the site. The west and south western boundaries of the site are characterised by field hedgerows whereas the northern and southern boundaries display mature trees with sporadic mature plantings around the western edge adjacent to existing residential curtilages. The site also shares a boundary with the churchyard to the Grade 1 listed Church of St John and the Easingwold Conservation Area.
- 1.10 The adjacent land to the north and east also consists of open agricultural fields. A footpath connection to the south of the site is to be retained to provide linkage through to the Easingwold town centre. The site is relatively flat with only nominal gradients and changes in height across the site. The field boundaries are characterised by trees and hedgerows and there are also long views towards moorland to the north east from elevated parts of the site. No wildlife habitat survey has been submitted with the application to access the likely presence or impact on local flora or fauna.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 None relevant.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Development Plan Document – Adopted April 2007

CP1 - Sustainable development
CP2 - Access
CP3 - Community Assets
CP4 - Settlement hierarchy
CP5 - The scale of new housing
CP5a - The scale of new housing by sub-area
CP6 - Distribution of housing
CP7 - Phasing of housing
CP8 - Type, size and tenure of housing
CP9 - Affordable housing
CP9a - Affordable housing exceptions
CP16 - Protecting and enhancing natural and man-made assets
CP17 - Promoting high quality design
CP18 - Prudent use of natural resources
CP19 - Recreational facilities and amenity open space
CP20 - Design and reduction of crime
CP21 - Safe response to natural and other sources

Development Policies Development Plan Document – Adopted February 2008

DP1 - Protecting amenity
DP2 - Securing developer contributions
DP3 - Site accessibility
DP4 - Access for all

DP6 - Utilities and infrastructure
DP8 - Development Limits
DP13 - Achieving and maintaining the right mix of housing
DP15 - Promoting and maintaining affordable housing
DP28 - Conservation of the historic environment
DP29 - Archaeology
DP30 - Protecting the character and appearance of the countryside
DP31 - Protecting natural resources: biodiversity/nature conservation
DP32 - General design
DP33 - Landscaping
DP34 - Sustainable energy
DP36 - Waste
DP37 - Open space, sport and recreation
DP39 - Recreational links
DP43 - Flooding and floodplains

Other Relevant Documents

Size Type and Tenure of New Homes SPD (2015)
Affordable Housing SPD (2015)

The National Planning Policy Framework – March 2012

- 3.2 The National Planning Policy Framework (NPPF) was published in March 2012 and sets out the Government's planning policies for England and how these are expected to be applied.

4.0 CONSULTATIONS

Easingwold Town Council

- 4.1 ETC would like the application to be considered through the democratic process and via the new local plan, when considering new sites for Easingwold.

Kyle and Upper Ouse Internal Drainage Board

- 4.2 Advise that the application relates to work near and discharging into a watercourse, therefore an application for works within the Drainage District will be required in addition to any landowner agreements for works, access and easements.

Historic England

- 4.3 HE provided initial advice on the original scheme for 163 dwellings (13 November 2015) in which it was recommended that consent be refused until the group of houses closest to the boundary with the Grade 1 listed Church of St John were omitted from the scheme. HE recommended that once the development had been revised in line with their initial comments then no objection would be raised on heritage grounds to the remaining dwellings.

NYCC Education

- 4.4 Advise that the proposed development does not provide sufficient land to ensure provision can be made for the additional children the development will generate. More particularly, it does not provide sufficient land for the school to cope with the expansion required for all the developments proposed in the Easingwold area.

- 4.5 Since the proposal effectively land-locks the school, it therefore means that, if approved in its current form, there will be a significant problem delivering the educational infrastructure required to cope with the permitted and proposed housing developments in Easingwold.
- 4.6 Easingwold Primary School currently has a net capacity of 315 places. The school's current total site area is 12,100m² and their current play area is 7,400 m². These areas are currently undersized. To meet the area guidelines in *Building Bulletin 103*, the Department for Education's statutory guidance for mainstream schools¹, there should be 14,894m² total site area and 13,022m² of play/open space.
- 4.7 It is not clearly specified how much land the Linden development is providing for school use. In an explanation on drainage, the application speaks of the school land being 0.375 hectares, or 3,750m². If that is the figure, the total site area would increase to 15,850m² and the playing field space would be 11,028m². Therefore, even for the current capacity, the playing field space will be approximately 2,000m² short of the BB103 area guidelines¹, when the Linden land is included.
- 4.8 The Linden Homes application would generate 41 primary children and to expand the school's net capacity proportionately would further increase the playing field shortfall, since the *BB103* recommended area would also increase. If all of the 747 known housing proposals are successful, 147 additional primary children would be generated. Once surplus spaces are taken out, the school's net capacity would need to increase to around 400 spaces.
- 4.9 This would require, according to *BB103*, a total site area of 17,282m² and the playing field area would need to be 15,120m². The additional land provided by the Linden development would still leave around a 4,000m² shortfall of playing field space.
- 4.10 In the context of the school site becoming land-locked a larger piece of land from the Linden development would be required in order to be able expand the school's capacity appropriately. Without it the scheme will be unsustainable as it will not be possible to add the appropriate number of school places. In addition, *Section 77²* of the *Schools Standards and Framework Act 1998*, which extends the requirement to ask for Secretary and State consent to dispose of school playing field, to now include consent required for change of use of "open space", eg building a classroom, would apply. It is unlikely that we could secure consent under *Section 77²* for constructing additional accommodation on the current playing field land (or on open land) in the context of an existing shortfall which would be significantly exacerbated by the application.

Footnotes:

1. *Building Bulletin 103: Area Guidelines for Mainstream School* (BB103) is the Department for Education's statutory area guidelines for school buildings (Part A) and sites (Part B) for all ages from 3 to 19. The document was written in 2014 and updated on 4 March 2015.

BB103 supersedes the separate area guidelines for primary and secondary school in Building Bulletins 98 and 99, with reduced recommended areas. The minimum gross area in *BB103* averages 15% lower than recommended in *BB98* and 6% lower than *BB99*.

A link to the document is found at:

<https://www.gov.uk/government/publications/mainstream-schools-area-guidelines>

2. *Section 77 of the Schools Standards and Framework Act 1998* describes the main circumstances when relevant bodies need to seek the consent of the Secretary of State for Education to dispose, or change the use, of land used by schools, including playing fields. It extends the requirement to ask for Secretary of State consent to include change of use of playing field, e.g. extending the school building, when “playing field” is defined very broadly as any land in the open air, excluding school building and car parks.

A link to the document is found at:

<https://www.gov.uk/government/publications/protection-of-school-playing-fields-and-public-land-advice>

- 4.11 Given all the above we have to object to this development and possibly other housing proposals in the Easingwold area on infrastructure grounds.

HDC Leisure Services Officer

- 4.12 Policy DP37 recommends that amenity green space and play areas for children be provided on developments with 10-79 houses. Plus, there is a quantitative deficiency in amenity green space, children's play and outdoor sports facilities in Easingwold.
- 4.13 There is no other accessible public open space in the vicinity, which strengthens the case for POS being provided on site. Even with some provision other existing or proposed sites in the vicinity of this site, children would have to cross Thirsk Road.

NYCC as Local Lead Flood Authority - Drainage

- 4.14 Advise there is insufficient information submitted with the application to demonstrate a suitable SuDS scheme for the scheme.

Yorkshire Water

- 4.15 YWS has no objection in principle subject to drainage conditions being imposed.
- 4.16 Foul sewage – The development will not have a detrimental impact on the local receiving sewerage. The new properties would pass through an existing sewage pumping station that has sufficient capacity to accommodate the development. Therefore, whilst the pumping station will probably operate more frequently, the volume of foul flow passing through the network at any one time will not increase.
- 4.17 Surface water drainage - The public sewer network does not have capacity for any surface water from this site. However, the submitted Flood Risk Assessment (prepared by ARP Associates – Report dated October 2015) confirms that a watercourse exists to the north of the site that will be utilised for surface water disposal.

Highway Authority

- 4.18 Recommend that Tempo calculations sheets for traffic assessments and speed data for access be submitted.
- 4.19 Pedestrian link to Church Hill appears only to extend to the edge of the Cemetery how is this going to be extended to Church Hill? This link is an important part of the development making it more sustainable.
- 4.20 To provide footway improvements on:-

- a. Church road and Church Avenue towards the market place
- b. Thirsk Road - improve and widen footway to primary school
- c. Husthwaite Road – new footway along front of development with street lights

- 4.21 Surface water drainage required on Husthwaite Road due to new footway.
- 4.22 Loop roads need to connect to provide an emergency access.
- 4.23 Transition road at start of site needs to be 6.5m wide.
- 4.24 Tracking info required to show pumping station is accessible to large vehicles.
- 4.25 All trees need to be planted at least 2.5m from back of highway
- 4.26 Visitor parking needs to be provided on main road through the site, existing parking is too remote.
- 4.27 Parking on site should provide sufficient spaces for dwellings and it should be noted that NYCC car parking standards are a minimum.

Police Architectural Liaison Officer

- 4.28 Recommendation 1 - There are 42 houses which share a communal footpath giving access to the rear of several houses. Where this is the case there should be a lockable gate at the front of the building line so that anyone trying to force or climb that gate will be seen by the neighbours adjacent or opposite.
- 4.29 Recommendation 2 - that the layout of the houses mentioned above be re-designed so each have their own footpath which can be locked with a 1.8m high gate positioned at the front building line.
- 4.30 Recommendation 3 – if the Public Open Areas (POAs) are to be used to facilitate a Play Area I would recommend that the following guidelines be adopted.

The Local Play Area (LAP) should be designed for a certain age limit and conform to the following criteria. - Play areas are split into either a LEAP (Locally Equipped Area for Play - children 4yrs to 8yrs), or a NEAP (Neighbourhood Equipped Area for Play- 8yrs and upwards).

Publicity

- 4.31 The application was advertised in the local press, by site notice and directly to the neighbouring residents. 76 representations and a petition with 269 signatures against the development have been received to date that are summarised below:
 - a) Amenity
Noise, dust, privacy, overlooking
Loss of privacy due to increased use of path to the rear of Gill Croft dwellings.
 - b) Highways
Capacity, safety, conflict with rural traffic, pedestrians, runners, riders and cyclists on Husthwaite Road and hazard to children at Easingwold Primary School
Lack of parking in the town centre
Poor surface maintenance
Lack of access for emergency services
Route of path passed the church is without footways for the route to the town centre.

- c) Design
 High density development out of keeping with surroundings
 Harm to the setting of the Easingwold Conservation Area
 Fails to respect setting of historic Listed church
 Design is inferior to that shown at the pre-application consultation
 Lack of clarity of relationship of scheme with the proposed extended cemetery
 Roofs do not align south to achieve maximum solar gain as claimed
 Overdevelopment of the site
 Cumulative impact on the character of Easingwold
- d) Landscape
 Loss of open landscape
 Loss of productive agricultural land
- e) Infrastructure
 Lack of capacity at Doctors, Dentists and Schools, petrol filling station
 Drainage sewage and surface water overloaded network capacity
 The rate of growth of Easingwold is too high, sprawl without commensurate social infrastructure
 Drainage routing (via Gill Croft Court) is inappropriate and unproven
 Increased flood risk to south Easingwold
- f) Employment
 Lack of employment opportunities
 Impact on existing businesses
- g) Agriculture
 Loss of productive agricultural land
 Hedgerows will be destroyed as a result of the development
- h) Biodiversity
 Lack of consideration of impact on wildlife (birds of prey)
 Impact upon newts
- i) Policy
 Site is outside Development Limits
 The site is not allocated for development and should be resisted

5.0 OBSERVATIONS

5.1 The main issues to be considered are as follows:

- (a) Whether the proposed development is required to improve the supply of land for housing;
- (a) Whether the proposed arrangements of housing meet local affordable housing needs and whether the mix of housing meets identified needs by size, type and tenure;
- (a) Whether the development will lead to, or exacerbate flooding;
- (a) Whether the development will cause harm to the setting of a Listed Building and/or the setting of the settlement of Easingwold;
- (a) Whether the development will cause harm to the amenity of neighbours;
- (a) Whether the existing or proposed educational infrastructure could accommodate the growth required to meet the needs of the development;
- (a) Whether the development will exceed the capacity of the infrastructure of the town; and

- (a) Whether the proposal is a sustainable form of development in the terms of the NPPF.

The supply of land for housing

- 5.2 The relevant policies for the determination of applications are set out above. It is noted that the LDF Core Strategy was adopted in 2007 and provides the basis for the scale and distribution of housing development within Hambleton. Following this the Allocations DPD identifies sites to meet and deliver the targets and objectives as set out within the Core Strategy.
- 5.3 The application site is not currently an allocated site for housing within the Allocations DPD and is currently used as agricultural land.
- 5.4 The accompanying Design and Access Statement seeks to advance a case for development based on the lack of a five years land supply and the need for sustainable development as encouraged by the NPPF. If it was found that there was less than a five year land supply in the District then the NPPF tells us that policies in the LDF that are to do with regulating the supply of land for housing may be out of date.
- 5.5 The NPPF places emphasis on maintaining a five year supply of deliverable housing sites (paragraph 49). Paragraph 47 requires an additional 5% buffer to ensure choice and competition in the market for land and a 20% buffer if there has been persistent under-delivery within a local authority area.
- 5.6 In order to calculate the current 5 year housing land requirement for Hambleton it is necessary to take the Objectively Assessed Need (OAN) of 274 dwellings per annum calculated in the January 2016 Strategic Housing Market Assessment (SHMA) as a starting point. The SHMA uses a base date of April 2014.
- 5.7 Over five years this produces a need for 1,370 dwellings ($274 \times 5 = 1,370$). The numbers of dwellings completed in 2014/15 and 2015/16 have exceeded the OAN figure of 274 and therefore there has been no under-supply since the April 2014 base date so there is no backlog for the District to be added to this requirement.
- 5.8 In order to ensure choice and competition in the market it is prudent to add a further 5% buffer to the 5 years' OAN figure as required by the NPPF. 5% of 1,370 is 68, so taking these elements together the 5 year housing land supply requirement for the District is 1,438.
- 5.9 The Council has undertaken a robust survey of all sites with extant planning permission and allocations to assess the expected delivery of housing. No provision has been made for windfalls.
- 5.10 This latest monitoring data shows a deliverable supply of 2,781 dwellings over the next five years. This exceeds the revised five year housing land requirement by 1,341 dwellings, and allows the Council to demonstrate a deliverable supply for the next 9.7 years.
- 5.11 It is acknowledged that national policy within NPPF paragraph 49 states that "housing applications should be considered in the context of the presumption in favour of sustainable development" and it could be argued that an additional 5% of the District's housing requirement would contribute towards the overall objectives of boosting housing supply. However, as the District has a demonstrable supply well in excess of five years there is no reason to release this unallocated site and to allow housing on this scale outside Development Limits.

- 5.12 Where such releases are necessary in future, they should be guided by the plan making process and there is no reason to depart from the strategy set out in the LDF in the interim.
- 5.13 In addition to the calculated supply, it is considered that there are further sites within Development Limits or which accord with the Council's Interim Policy Guidance that could boost the housing supply and affordable housing provision within the District and it would be consistent with the principles of national and local planning policy to consider such sites in preference to unallocated sites outside Development Limits.
- 5.14 Policies CP1 and CP2, (which relate to sustainable development and minimising the need to travel) and through the terms of CP4 planning permission can be granted in accordance with LDF policies where one or more of six exceptional circumstances are met. In this case it is found that the site is not necessary to meet any of the six exceptional circumstances of policy CP4 and no support can be given to the proposals by this LDF policy.
- 5.15 Policy DP9 states that development will only be granted for development beyond Development Limits "in exceptional circumstances". The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, as such, the proposal would be a departure from the development plan. However, it is also necessary to consider more recent national policy in the form of the National planning Policy Framework (NPPF) published in March 2012. Paragraph 55 of the NPPF states:
- "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".
- 5.16 To ensure appropriate consistent interpretation of the NPPF alongside policies CP4 and DP9, on 7 April 2015 the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance is intended to bridge the gap between CP4/DP9 and the NPPF. The provisions of the IPG apply to villages; market towns are not included within the scope of the guidance. Accordingly the proposal cannot benefit from the provisions of the IPG.

Affordable Housing and Market Housing mix

- 5.17 Developments in Easingwold of 15 or above dwellings trigger a requirement for a 50% affordable housing contribution. This proposal is for 143 dwellings and the developer is offering 71 affordable homes (50%). This satisfies the Council's policy requirements for 50% affordable housing.
- 5.18 To meet the Council's affordable housing requirements the dwellings must be of a size that meets the Council's minimum standards or at least the nationally Described Space Standards, the dwellings must be transferred to a Registered provider at the Council's agreed Transfer price. The transfer prices and space standards are set out below alongside the Nationally Described Space Standards against which the Council benchmarks all new homes.
- 5.19 Hambleton District Council Minimum Space Standards

Unit Type	Minimum Space Standard
1 bedroom	50m ²

2 bedroom	70m ²
3 bedroom	90m ²
4 bedroom	110m ²

National Described Space Standards

No of bedrooms	No of person/s	1 storey dwelling	2 storey dwelling	3 storey dwelling	Built-in storage
1	1	39m ²			1.0 m ²
1	2	50m ²			1.5 m ²
2	3	61m ²	70m ²		2.0 m ²
2	4	70m ²	79m ²		2.0 m ²
3	4	74m ²	84m ²	90 m ²	2.5 m ²
3	5	86m ²	93m ²	99 m ²	2.5 m ²
3	6	95m ²	102m ²	108 m ²	2.5 m ²
4	5	90 m ²	97 m ²	103 m ²	3.0 m ²
4	6	99 m ²	106 m ²	112 m ²	3.0 m ²
4	7	108 m ²	115 m ²	121 m ²	3.0 m ²
4	8	117m m ²	124 m ²	130 m ²	3.0 m ²

The affordable homes comprise the following:

Type	Size	Number
2 bed dwellings	69.67m ²	47
3 bed dwellings	93.93m ²	32

- 5.20 The 2 bed dwelling unit is 0.33m² below the Council's and Nationally Described Standard required size. Whilst 0.33m² may be considered a small amount failure to achieve these standard can result in unacceptable cramped living conditions and refusal of an application for failure to meet the required standards can be justified.
- 5.21 This mix proposed meets the advice we have been given by our Registered Provider partners that the need is for smaller size properties (2 and 3 bedroom houses)
- 5.22 The tenure split of the affordable homes is proposed to be 70% social rent and 30% intermediate tenure unless there is evidence to support an alternative tenure split that is supported by the Registered Provider and agreed with the Housing and Planning Policy Manager. This meets the position set out in the most recent Supplementary Planning Document (SPD) relating to affordable housing as supported by the SHMA.
- 5.23 To accord with policy and affordable housing SPD advice the affordable homes should be dispersed across the site in clusters of no more than six to eight dwellings. The level of dispersal is not acceptable. In particular, plots 76-89 need to include some market housing and the 'swapped' affordable units moved to another area of the site. Similarly, there are other opportunities in the north east quadrant of the site to improve the level of dispersal where there is an over-concentration of affordable housing units.
- 5.24 The developer will be required to transfer the affordable homes to a Registered Provider at the Council's agreed Transfer Price set out in the SPD.

Size	Transfer Price
1 bedroom	£50,200
2 bedroom	£65,200
3 bedroom	£79,200
4 bedroom	£84,200

5.25 The Council is also concerned to ensure that all housing better meets the needs of the population in the light of demographic and lifestyle changes. Census data reveals that the population is ageing and this is increasing year on year. Lifestyle changes have also led to the formation of smaller households and this has also impacted on the type of housing that is needed to sustain communities and support economic growth.

5.26 There is evidence to support the following market mix on larger market sites across Hambleton and in September 2015 the Council adopted a Size, Type and Tenure of New Homes SPD setting out these targets

- 10% one bedroom homes;
- 60% two & three bedroom homes; and
- 10% two bedroom bungalows

5.27 The proposed mix for the market element of this scheme is as follows:

- 14 (19%) 1-bedroom flats
- 14 (19%) 2-bedroom dwellings
- 0 (0%) 3-bedroom dwellings
- 44 (62%) 4-bedroom dwellings

5.28 The Council seeks to provide housing across all tenures that offers good space standards. It uses the National Described Space Standards as a tool to benchmark against. Following feedback the developer has revised the house-types to improve standards.

5.29 The proposed dwellings have been compared to the standards and now only the following bungalow falls below the Hambleton standard on 70m2. The Council's standard does not distinguish between bungalows or two storey properties. The National standard does distinguish between single and two storey two bedroom properties and in each case the "WI type" bungalow is substantially below the required standards. The scheme is therefore in breach of the requirements of DP13 and as set out in the Size, Type and Tenure Supplementary Planning Document.

Type	Number of dwelling type	Size	Hambleton Standard	National Described Space Standard (minimum)
WI bungalow	14	56m2 603sqft	70m2	61m2

5.30 The large proportion of bungalows (19%) is welcomed as this should improve the housing offer for older people and people with limited mobility. Similarly the provision of some one-bedroom flats for sale should offer more affordable accommodation for singles, couples and first time buyers. However, there is substantial concern that the mix of market dwellings does not accord with the requirements of the SPD as there is a substantial under provision of three-bedroom dwellings. To meet the needs identified in the Strategic Housing Market Assessment (SHMA) the high proportion of four-bedroom units must be reviewed and the mix improved to include many more three-bedroom homes that would be affordable to young couples/ families. The proposal is therefore contrary to LDF Policy DP13 that seeks to achieve and maintain the right mix of housing.

Flooding

- 5.31 As a result of consultation, and in common with other development proposals in Easingwold, drainage is a very substantial issue of concern to all involved. The provision of a drainage system that is capable of accommodating foul water and surface water flows from the site whilst also dealing with issues of flooding is critical to the acceptability of this proposal.
- 5.32 Reports have been supplied by the developer to explain the means of providing foul sewage disposal and the measures proposed have not resulted in any objection from Yorkshire Water or the Environment Agency. However as noted in section 4 the details supplied have been found to leave many questions of the Local Lead Flood Authority relating to the "SuDS" (Sustainable Drainage System) unanswered as such at this stage it cannot be shown that the proposal provide an adequate system of surface water drainage.

Heritage assets

- 5.33 The initial proposals for the site included housing at the southern end of the site and objection was raised by Historic England to the impact of the development on the setting of the Grade 1 Listed Church. Through the amendments to move the housing away from the church, resulting a 20 dwelling reduction in the size of the scheme the objection of Historic England has been withdrawn.
- 5.34 It is considered that the scheme will not cause harm to any other heritage asset and that the proposal will not breach the terms of LDF Policy CP16.

Landscape impact and the setting of the settlement of Easingwold

- 5.35 No Landscape and Visual Impact assessment has been submitted with the application, nor addressed within the Design and Access Statement. However it is considered following assessment on site that the application site is in a position that is not widely visible from public roads. The gently rolling landform on the northern side of the town is such that the development would not have severe or widespread visual impacts. The development proposals are made to enable the retention of the trees and hedgerows on the boundaries of the site. The buildings within the scheme are limited to a conventional two-storey dwelling height. These factors substantially reduce the potential for visual impact of the development from views outside of the town.
- 5.36 The location of the site, largely to the rear of residential property to the east of Thirsk Road, is such that the scheme would not result in a substantial change to the setting of Easingwold. The arrangement of residential estates to the sides of Thirsk Road (as seen on the Prospect Farm site), off Oultson Road (as seen at the former Claypenny Hospital site), off Stillington Road and off York Road (as seen on the Ward Trailers site and the site opposite Easingwold School) are a feature of the way that Easingwold has expanded over the last 20 years. The development of land off Thirsk Road would be a continuation of the pattern of development and as noted above due to the topography of the site would not have a substantial or harmful impact upon the character or setting of the settlement.

Amenity of neighbours

- 5.37 The development proposals would create new housing close to the boundaries with existing dwellings to the east of Thirsk Road, both dwellings on the cul-de-sacs and individual dwellings would be affected by new development adjacent to them. The new homes are proposed to be to the east and north of existing dwellings. None of the proposed dwellings would give rise to substantial harmful impacts on the amenity of existing homes.

- 5.38 The formation of access routes both pedestrian and vehicular would have a harmful impact upon neighbours due to the increase in noise and reduction in privacy. No details have been provided to show how the impacts on neighbours may be reduced or mitigated. Of particular concern is the loss of privacy that would occur to the dwellings on Gillcroft (Wheatfields and Church House) due to the routing of a pedestrian link from the development site to Church Hill via the unmade track to the west of the Church. The track currently provides a means of access from Church Hill to the land but there is no evidence of frequent use of the track and no public rights. The changes proposed in this application would enable frequent use by the public (or at least the residents of the new housing) and would provide substantial opportunities for overlooking in to what is relatively private space at the rear of the dwelling. Due to the change in levels between the garden and the track a substantial retaining wall has been formed. Providing fencing to prevent overlooking would result in a high structure that may have a further harmful impact upon the amenity of the occupiers of that dwelling.
- 5.39 The provision of the access route is desirable, as it creates a direct route for pedestrians from the site to the town centre that is shorter than a pedestrian route along Thirsk Road, would cause a loss of amenity to an existing dwelling contrary to the Policies CP1 and DP1 that seek to protect the amenity of neighbours.
- 5.40 The other concerns raised by neighbours regarding the loss of amenity are noted but are capable of being addressed by means of planning conditions should the application be approved.

Education

- 5.41 The comments of the North Yorkshire County Council Children' and Young People's Services are set out in section 4 of this report. It is noted that the size of the school land is currently insufficient to meet the target levels and that on the basis of the currently forecasts that include additional primary school children who will live on the consented schemes for housing in Easingwold results in insufficient classroom space. Whilst the number of dwellings proposed in this scheme have been reduced from 163 to 143 the shortfall in school spaces still exists.
- 5.42 Whilst the application proposes extension to the school land this does not address the shortfall in school places that is forecast to occur by the academic year 2019-2020. There is no current approval or proposal to extend the classrooms (or any other facilities) at Easingwold Primary School to increase the capacity from the current 315 places. As a consequence the proposal is contrary to the LDF Policy DP6 that requires that proposals for new development must be capable of being accommodated by existing or planned services. The proposed footpath link is also considered likely to prevent further expansion of the Easingwold Primary School beyond the application site. DP6 goes on to require that where improvements in off-site infrastructure are programmed the timing of development must be co-ordinated with its provision. As no programme for additional infrastructure at the primary school exists the proposal is contrary to both the first and second elements of Policy DP6. The third element of Policy DP6 is that where additional infrastructure is proposed that it is to be consistent with the principles of sustainable development. In the absence of details of additional infrastructure a reliable assessment of this third element cannot be made.

Infrastructure

- 5.43 The DP6 requirement for capacity of infrastructure relates also to issues of water supplies and drainage. It is noted that there are limitations to the volume of water

available to the site, however this is a matter for the water company and developer to resolve. The advice from Yorkshire Water is that the supply can be increased from existing reservoirs but requires additional pipework. Despite the drainage issues experienced elsewhere in the town there is no evidence that the application site cannot be drained or that its drainage would cause adverse impacts on the performance of elsewhere in the town as the drainage systems operating in the south east and west ends of the town are separate.

- 5.44 The representations from local residents, as witnessed by the petition submitted relating to this application, is that the town is suffering from the impacts of the growing population as the rate of population growth has not been matched by the rate of expansion of services and infrastructure. The application seeks to provide a pedestrian link to the town centre to reduce the potential impact on demand for parking in the town centre, but does not proposed any improvements to footways beyond the boundary of the site. The scheme if approved would be required to make payments under the Community Infrastructure Levy that can be used to improve infrastructure however there is no guarantee that that the CIL amount due would meet all local infrastructure needs. The calls for improvements to facilities set out in the neighbour representations are not addressed in the application proposals other than for the provision of additional school land. This is discussed earlier in this report.

Agricultural land classification

- 5.45 The agricultural land classification is not mapped by the applicant in the submission. From the available mapping by Natural England of August 2010 it is concluded that the land lies within Agricultural land classification 2. Agricultural land of classifications 1, 2 and 3a are considered to be the best and most versatile agricultural lands and should be protected for future agricultural use. Development should be directed to land of lower quality. Development for residential purposes is considered irreversible and would preclude future use for agriculture.
- 5.46 In the light of the above it is considered that the proposal is an unsustainable form of development in terms of the NPPF as it would result in the loss of the best and most versatile land contrary to the policy in NPPF paragraph 112.

6.0 SUMMARY

- 6.1 The proposal fails to demonstrate an 'exceptional circumstance' sufficient to satisfy the criteria as set out in Policy CP4 of the Hambleton Local development Framework. In addition the scale of the development is considered to be outside of the parameters as given by the Interim Planning Guidance.
- 6.2 The accompanying planning statement seeks to advance a case for development based on the lack of a five year land supply however the District has a demonstrable supply well in excess of five years and there is no policy reason to release this unallocated site and to allow housing on this scale outside Development Limits.
- 6.3. The development proposals would bring forward additional housing, this is seen in the NPPF as being a substantial social benefit due to the shortage of affordable homes in the country. However the size and type of many of the homes has been found not to match the needs of the District and any benefit is less than would be the case if the scheme proposed more small and medium sized homes (one, two and three bedroom dwellings and bungalow). The proposal to provide school land would result in a social benefit but there is no mechanism to increase the capacity of the school to meet the needs arising from the proposal. There is no economic benefit

other than that arising from the building of new homes, and that economic benefit would arise wherever the homes were built and is not a justification to build on the best and most versatile agricultural unallocated land outside of the Development Limits of the market town that lies within an area of restraint.

- 6.4 In terms of housing numbers and a five year supply therefore the applicant's case is not supported.

7.0 RECOMMENDATION

- 7.1 That subject to any outstanding consultations the application is **REFUSED** for the following reasons:

1. The site lies beyond the Development Limits of Easingwold and in a location where development should only be permitted exceptionally. The Council has assessed and updated its housing land supply and objectively assessed need and can demonstrate a housing land supply well in excess of 5 years. Development Plan policies for the supply of housing are therefore up to date and the development would therefore be contrary to Hambleton Local Development Framework policies CP1, CP2, CP4, DP8, DP9 and CP6 and the aims and objectives of the National Planning Policy Framework to deliver housing growth in a plan-led system. The proposed development is contrary the Hambleton Local Development Framework
2. The proposal fails to provide an appropriate a mix of housing to meet the identified needs to create or contribute towards a sustainable and inclusive community. The scheme does not follow the local housing needs data collated in the Strategic Housing Market Assessment and for all these reasons is contrary to LDF Policy DP13 that seeks to achieve and maintain the right mix of housing.
3. The national planning guidance requires that when considering major development sustainable drainage systems should be provided unless demonstrated to be inappropriate, in this instance insufficient information has been provided to demonstrate that it will achieve an acceptable form of sustainable drainage system and approval therefore would be contrary to the Hambleton Local Development Framework Policies CP21 and DP43.
4. The provision of a convenient pedestrian access route from the site to town centre is desirable however it would prevent future expansion of the school site and furthermore cause a loss of amenity to an existing dwelling contrary to the Hambleton Local Development Framework Policies CP1 and DP1 that seek to protect the amenity of neighbours.
5. The proposal is contrary to Hambleton Local Development Framework Policies CP3, that gives support for proposals that protect, retain or enhance existing community assets, and DP6 that requires that proposals for new development must be capable of being accommodated by existing or planned services. DP6 also requires that where improvements in off-site infrastructure are programmed the timing of development must be co-ordinated with its provision. As there is insufficient capacity at Easingwold Primary School to accommodate the population growth and as there is no programme for additional infrastructure at the primary school the proposal fails to protect the existing community asset contrary to Policy CP3 and fails the tests of Policy DP6 as the needs to accommodate additional pupils is not met by the existing capacity and no additional capacity is programmed or co-ordinated to meet the needs of the development.
6. The proposal comprises a greenfield development including the best and most versatile agricultural land. The proposal would therefore be a form of unsustainable

development causing environmental harm. Taking account of the housing land position, there is no justification for the proposal in terms of the economic or social roles of sustainability and the proposal would therefore be contrary to Hambleton Local Development Framework policies CP16, DP12 and DP30 and the Written Ministerial Statement on Landscape dated 27 March 2015 and NPPF paragraph 112.

7. The proposed development fails to achieve the objective of sustainable development as defined in the NPPF as it does not simultaneously achieve economic, social and environmental gain and as such is contrary to the policy contained in the NPPF at paragraph 7.