

Parish:
Ward:
13

Committee date: 11 January 2018
Officer dealing: Mr P Jones
Target date: None (appeal lodged)

17/01477/OUT

**Outline planning application for the construction of up to 110 dwellings with all matters except access reserved
At OS Field 9664, Stokesley
For Gladman Developments Ltd.**

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The 5.52ha site lies in open countryside to the north of the existing residential area on the northern edge of Stokesley, approximately 1km from the town centre.
- 1.2 The land is currently an arable field, bounded to the south and east by a mixed hedgerow. To the south of the site is the B1267 and to the east the A172, both of which lead north towards Middlesbrough. The first part of the site extending back from the road is relatively flat and then the site slopes gently upwards to the north.
- 1.3 The proposal includes the following as set out in the supporting documentation:
- Up to 110 residential dwellings (including 50% affordable housing);
 - Structural landscape planting and the retention and management of key landscape features;
 - 2.14 ha of formal and informal open space;
 - New access arrangements including a single vehicular access from the B1267 approximately 200m north of the roundabout junction with the A172 and an informal footpath/cycle link; and
 - A comprehensive surface water drainage scheme.
- 1.4 The illustrative Development Framework Plan seeks to demonstrate that the development would be set within a framework of open space and green infrastructure. The green space would include a formal, equipped, children's play area and informal open space. The proposal seeks to retain existing landscape features; all trees to the boundary of the site would be retained, and the illustrative Development Framework Plan incorporates these elements within a strategic landscape framework.
- 1.5 The only matter for approval at this stage is access, with appearance, landscaping, layout and scale reserved for a later application if this is approved.
- 1.6 Additional information has been submitted by the applicant in an attempt to address issues raised by NYCC's Highways and SuDS teams. However, other improvements have not been sought because the application is in outline and the key planning issue is the principle of the development.
- 1.7 The applicant's supporting statement considers that the development would result in the following benefits:
- Construction spend - £9.7 million;
 - Gross value added over the build period - £2.5 million;
 - Resident annual expenditure - £2.3 million;
 - Council tax - £1.7 million;

- New Homes Bonus - £900,000;
- 83 full time equivalent jobs during construction; and
- 90 full time equivalent indirect jobs in associated industries.

1.8 The following documents have been submitted in support of the application:

- Planning Statement
- Transport Assessment
- Travel Plan
- Ecological Appraisal
- Landscape and Visual Impact Assessment
- Socio-Economic Sustainability Statement
- Statement of Community Involvement
- Utilities Statement
- Archaeological Geophysical Survey
- Archaeological Impact Assessment
- Built Heritage Impact Assessment
- Noise Assessment
- Design and Access Statement; and
- Indicative plans.

1.9 The applicant has lodged an appeal because the application was not determined within 13 weeks of receipt, owing to outstanding consultation responses. A number of matters regarding highway issues and SUDS had not been resolved by the applicant to the satisfaction of North Yorkshire County Council at the time the appeal was made. The Highways matters have since been resolved. The decision will therefore be made by an Inspector appointed by the Secretary of State and it is necessary for the Council to determine the position it will take in the appeal.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

2.1 None.

2.2 Appeal decisions in Easingwold and Stokesley have been raised by the applicant as being material to the consideration of the application. These are considered in section 5 below.

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 CP7 - Phasing of housing
- Core Strategy Policy CP8 - Type, size and tenure of housing
- Core Strategy Policy CP9 - Affordable housing
- Core Strategy Policy CP9A - Affordable housing exceptions
- Core Strategy Policy CP12 - Priorities for employment development
- Core Strategy Policy CP13 - Market towns regeneration
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP17 - Promoting high quality design
- Core Strategy Policy CP18 - Prudent use of natural resources
- Core Strategy Policy CP19 - Recreational facilities and amenity open space
- Core Strategy Policy CP21 - Safe response to natural and other forces

Development Policies DP1 - Protecting amenity
 Development Policies DP2 - Securing developer contributions
 Development Policies DP3 - Site accessibility
 Development Policies DP4 - Access for all
 Development Policies DP5 - Community facilities
 Development Policies DP6 - Utilities and infrastructure
 Development Policies DP8 - Development Limits
 Development Policies DP9 - Development outside Development Limits
 Development Policies DP10 - Form and character of settlements
 Development Policies DP13 - Achieving and maintaining the right mix of housing
 Development Policies DP15 - Promoting and maintaining affordable housing
 Development Policies DP16 - Specific measures to assist the economy and employment
 Development Policies DP28 - Conservation
 Development Policies DP29 - Archaeology
 Development Policies DP30 - Protecting the character and appearance of the countryside
 Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
 Development Policies DP32 - General design
 Development Policies DP33 - Landscaping
 Development Policies DP34 - Sustainable energy
 Development Policies DP36 - Waste
 Development Policies DP37 - Open space, sport and recreation
 Development Policies DP39 - Recreational links
 Affordable Housing - Supplementary Planning Guidance - June 2008
 Hambleton Biodiversity Action Plan
 Supplementary Planning Document - Open Space, Sport and Recreation Adopted 22 February 2011
 Stokesley Conservation Area Assessment 1998
 Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015
 National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Stokesley Town Council – Objects for the following reasons:

- The site is not allocated for development in the LDF;
- It is not a preferred site in the emerging Local Plan;
- Pedestrian access across the B1365 is not safe;
- The mitigation measures proposed to deal with site flooding are inadequate;
- Hambleton has sufficient sites already allocated to meet existing and future needs;
- The midpoint of the site is a minimum of 1.1km from the centre of Stokesley, with no public transport accessible closer to this with the exception of the last bus of the day;
- The site suffers from frequent surface water flooding near the junction at Tanton Road;
- The safety of the proposed vehicular access; and
- Loss of significant views across land to Peaton Carr and too close to listed buildings (Peaton Carr farmhouse is a Category II listed building).

4.2 Lead Local Flood Authority (NYCC) - makes the following comments:

- The Flood Risk Assessment and drainage design do not account for the existing surface water flooding to the site. Additional information is required to confirm

that the existing surface water runoff to the site will be mitigated and prevent flooding on and off site;

- Development flows should be restricted to the calculated greenfield runoff of 12.9 litres per second for up to the 1 in 100 year (plus 30% climate change plus 10% Urban Creep which is standard practice);
- On site attenuation should account for all development flows and have sufficient available storage to mitigate the existing surface water runoff risk to the site; and
- A management service has been proposed for the maintenance of the proposed SuDS scheme, a management plan for the lifetime of the development for the maintenance of the proposed SuDS scheme should be submitted to the Local Planning Authority for approval.

The Authority goes on to recommend that if these matters are adequately addressed conditions should be attached to any grant of planning permission.

- 4.3 Highway Authority – The applicant has submitted a Transport Assessment (TA) and Travel Plan (TP) in support of the application identifying the issues relating to the site and the proposed mitigation.

The Authority cannot agree to the full content of the TA but is satisfied with the conclusions reached and the mitigation proposed. In particular the Authority has rejected the proposed Traffic Regulation Order (TRO) to reduce the speed limit on the B1365 to 40 mph from the national speed limit of 60mph. The proposed limit would not be appropriate for a road of this standard with only one access junction on this section of road as it is not considered there will be sufficient change in character in the road to justify the proposed speed reduction. Consequently access to the site will need to be designed for a 60mph road using Design Manual for Roads and Bridges (DMRB) which is correctly identified as the appropriate standard.

The TA has shown that a simple T junction would accommodate the traffic generated by the site with significant reserve capacity. A “transition road” is proposed for the initial access into the site; with increased width and no individual plot accesses. This would increase the ability of emergency services to access the site under all circumstances. Emergency links are also proposed at the two additional pedestrian/cycle accesses to be provided. These would link to new footway/cycleways along the B1365 linking back to the existing footway network at Tanton Road and along the A172, round the A172/B1365 roundabout and linking back to Meadowfield. Pedestrian crossing points would be provided or enhanced. It would also be necessary to extend the existing road lighting from Tanton Road along the B1365 to join up with the lighting on the B1365/A172 roundabout and into the site. No individual access for vehicles or pedestrians should be permitted onto the B1365 or A172.

In providing a DMRB compliant visibility splay at the proposed access to the site it would be necessary to remove a section of the existing frontage hedging; this could be replaced if desired with a new hedge located behind the line of the visibility splay.

A proportion of the traffic resulting from this development is predicted to travel along the B1365 northwards and cross Tanton Bridge, which has been identified as the site of a cluster of recorded personal injury accidents. The applicant has proposed to enhance the signing at the bridge, which they consider is a level of mitigation commensurate with the additional traffic generated by the site passing through the junction.

The applicant has also proposed improvements to the 28A bus service to provide an hourly service passing the site. The improvements would be in the form of timetable adjustments and infrastructure (bus stops) on the site frontage.

The layout of roads and footways within the site would be the subject of further applications for reserved matters however it should be noted that the Authority would expect the layout submitted to restrain the speed of traffic to 20mph without the uses of vertical features with the exception of tables at junctions and to link footways on pedestrian desire lines which would include the two pedestrian accesses to the site. Parking standards would need to be in accordance with the Authority's published standards.

The TP proposes a 10% modal shift in travel choices away from the private car. It also acknowledges that the site would not be developed by the applicant and thus the final detail of the TP would be prepared by a house-builder who develops the site.

In conclusion the Highway Authority recommends that several matters are addressed through inclusion in a Section 106 Agreement or by the imposition of planning conditions.

Matters to be included in a Section 106 Agreement, to which the Authority would wish to be a party:

- Improvements to the 28A bus service to provide an hourly service passing the site including timetable adjustments and infrastructure (bus stops) on the site frontage;
- A travel plan providing a 10% modal shift from car driving within five years and a regular monitoring regime for delivering and maintaining the target;
- Footway/cycleway links from the site to Tanton Road and Meadowfield, based upon drawing P17013A;
- A scheme of road lighting along the B1365 linking to the existing lighting on Tanton Road and at the A172 roundabout;
- The prohibition in perpetuity of access from individual plots for vehicles or pedestrians to the B1365 or the A172; and
- Improvements to enhance signing and lining at Tanton Bridge.

The Authority also recommends a number of standard highway conditions.

- 4.4 Yorkshire Wildlife Trust - Recommends that, if planning permission is granted, high quality green Infrastructure is provided within the development. There will also be opportunities to connect up habitats by ensuring that hedgerows and other features within the site link to the wider area.
- 4.5 Northumbrian Water - No objection subject to conditions.
- 4.6 North Yorkshire Police Architectural Liaison Officer – No objection subject to a condition.
- 4.7 NYCC Education - Based on the proposed 110 2+ bedroom properties a shortfall of school places would not arise as a result of this development and a developer contribution would, under S106 arrangements, not be sought for primary education facilities. A developer contribution would not be sought for secondary school facilities at this time.

4.8 Environmental Health Officer - No objection; makes some recommendations at this stage:

The proposed development is in close proximity to Peaton Carr Farm. If this farm has livestock there is a possible impact on the development from odour and/or flies. Advises that a distance of 400 metres between any livestock building and the nearest dwelling should avoid these problems.

(Officer note: the nearest distance would be approximately 250m but it is noted that the Environmental Health Officer considered this issue more closely and raised no objection to residential conversion of barns at Peaton Carr Farm when consulted in 2015 (application 15/01538/MBN).)

A children's play area has been included in the drawings. In order to prevent noise problems to the occupiers of the nearest dwellings I would recommend that this is situated in the furthest corner of the open space area to minimise disturbance.

4.9 Public comment - Four objections have been received on the grounds summarised below:

- Detrimental impact on the character of the town;
- Development should not be allowed beyond Development Limits;
- Harm to the landscape setting of the town;
- Detrimental impacts on road safety;
- The area is prone to flooding;
- There is already too much housing in Stokesley;
- Lack of local facilities in the vicinity; and
- The road in this location is a natural boundary to development.

One letter of support has been received. This does not cite any reasons for support.

5.0 OBSERVATIONS

5.1 The key determining issues are (i) the principle of development and the local housing land supply; (ii) the impact of the proposal on the landscape character of the area; (iii) housing mix and affordable housing; (iv) the relationship with neighbouring properties and residential amenity; (v) flooding and drainage; (vi) highway safety and parking provision; and (vii) ecological impacts.

Principle

5.2 The application site lies outside the Development Limits of Stokesley, which is defined in Policy CP4 of the Core Strategy as a Service Centre. 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 not be in accordance with the Development Plan. However, it is also necessary to consider more recent national policy in the form of the National Planning Policy Framework (NPPF).

5.3 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.

5.4 The Council undertook a robust survey of all sites with extant planning permission and allocations to 1 April 2017 to assess the expected delivery of housing. On this

evidence the Council is able to demonstrate 8.6 years supply of deliverable sites, well in excess of five years.

- 5.5 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 approving additional sites such as this would contribute towards the overall objectives of boosting housing supply. However, the Council has been active in seeking to facilitate the supply of housing and has granted permission for significantly more dwellings than have been built in recent years (4,250 dwellings permitted against 1,555 dwellings completed between 1 April 2015 and 31 December 2017). As the District has a demonstrable supply well in excess of five years, it is considered that there is no compelling reason to allow housing on this scale outside Development Limits and contrary to the Development Plan.
- 5.6 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 sub area and 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. Where releases of land beyond Development Limits are necessary in future, they should be guided by the plan making process, for which there is a clear programme, and there is no reason to depart from the strategy set out in the LDF in the interim.
- 5.7 The applicant has set out their view of the policy position in terms of the principle of housing development in this location, in terms of the National Planning Policy Framework and the Development Plan in the form of Hambleton Local Development Framework Core Strategy and Development Policies.
- 5.8 The applicant does not accept the Council's current position in terms of the five year supply of land and considers the current figures to underestimate the actual position. Their position in terms of five year land supply is summarised below:
- The Strategic Housing Land Availability Assessment (SHLAA) 2016 outlines two scenarios as to the supply position against the LDF requirement with no windfall allowance included and secondly a supply against the Strategic Housing Market Assessment SHMA 2016 and Employment Land Review 2015 information.
 - Against the LDF requirement of 1,940 dwellings in the next five years the Council claims 7.9 years' supply; while against the SHMA and Employment Land Review requirement of 1,600 dwellings in five years the Council claims 9.9 years' supply.
 - The Employment Land Study 2015 figure of 320 dwellings per annum is used as the basis of the 1,600 housing requirement, however no buffer is applied to this figure. The LDF requirement is based on the pre-NPPF RSS requirement and is therefore out of date. The requirement from the SHMA 2016 is yet to be tested at a Local Plan Examination and therefore should only be attributed limited weight.
 - The applicant considers that a much higher requirement represents the true objectively assessed need. The applicant notes that a requirement of 458 dwellings per annum has been accepted by Inspectors in recent S78 appeals and considers this to be a more accurate representation of the position.
- 5.9 It is noted that the applicant cites appeal decisions from over two years ago in support of their case (December 2015 at Easingwold and September 2015 at Stokesley). Those appeals were considered on the basis of demographic and

household projections that are now out of date and prior to the re-adjustment that has taken place taking account of more recent demographic figures, on which the Council's current housing land requirements are based. The requirement of 458 was agreed in those appeals on the basis of demographic projections that are no longer relevant. The applicant was asked to identify how many years' supply they consider the district to have but they declined to do so, advising officers that they had not yet prepared evidence on this.

- 5.10 It should also be noted that Stokesley is within an Area of Restraint as set out within the Local Development Framework and as such the supply of land for development in this location has been consciously restricted in favour of other parts of the District with better access to services and communications. The Area of Restraint therefore not only serves its stated purpose but complements the Area of Opportunity centred on Northallerton, Thirsk and Bedale and associated transport corridors. The Core Strategy sets out proposals for a proportionately lower scale of development in the Areas of Restraint (Core Strategy Spatial Principle 2), where the intention is to resist development pressures from metropolitan areas to the north and south, which in the past resulted in significant in-migration of residents, who then commute back to work outside the area.
- 5.11 Even with its location within an Area of Restraint, Stokesley has a strong supply of housing under construction at White House Farm (Taylor Wimpey) and Tanton Road (Kier Living). The applicant's proposed additional release of land in this location is considered to go against the core policy principle of the Local Development Framework.
- 5.12 Notwithstanding the position regarding the objections to the principle of development in this location, it is important to take into account other material considerations in order to fully assess the proposals.

Landscape character and design

- 5.13 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."
- 5.14 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 setting, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.15 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.16 Paragraph 66 sets an expectation that applicants engage with the local community in drawing up the design of their schemes:

"Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."

- 5.17 The Council's Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any significant impact to explain how public comments have influenced the chosen design.
- 5.18 The applicant has submitted a Statement of Community Involvement (SCI) which sets out the processes undertaken as part of the Community consultation. It should be noted that the applicant did not enter into any pre-application consultation with the Local Planning Authority.
- 5.19 In brief the SCI indicates that:
- A public engagement exercise was undertaken comprising a press release and press advert, leaflet drop, and secondly, a dedicated web site;
 - The applicant wrote to Stokesley Town Council with details of the consultation, including copies of the consultation leaflet on 5 June 2017;
 - Leaflets outlining the development principles together with details of the dedicated web site and how to make comments were distributed in May 2017 to approximately 470 households and businesses near the site;
 - A press advert was published on 26 May 2017 advertising the public consultation of the proposed development in the Darlington and Stockton Times;
 - The applicant has a dedicated web site for each of its projects containing details of the scheme, copies of the consultation boards, leaflet and other information about the scheme. The web site also allows visitors to provide feedback via email or by post to the applicant;
 - 34 people have responded to the leaflet and web site via email/comments form; and
 - Comments received were mixed with some level of support and constructive comments whilst other residents opposed the scheme.
- 5.20 There was no prior discussion with the Council about these arrangements. However, and being mindful that the application is in outline, it is considered that the applicant has considered relevant issues raised through their consultation process.
- 5.21 The Design and Access Statement describes the character of the surrounding area as consisting of an arable field and an area of poor semi-improved grassland. The statement sets out that the northern, eastern and southern boundaries of the larger eastern field are defined by well managed hedgerows along with those of the western parcel's northern and southern boundary. The Statement also sets out that the interior of the site contains no landscape features of note and notes that the Landscape and Visual Impact Assessment concludes that the site can be developed in the manner proposed without giving rise to material landscape, townscape or visual effects.
- 5.22 The view of the applicant in terms of the landscape impacts of the scheme are not shared by officers. An independent evaluation of the submitted Landscape and Visual Impact Assessment has been undertaken by Landcare Consultants which has helped the Council to form its view in this respect, set out below.
- 5.23 The site is contained to the north by the rising topography of Bullister Hill, to the west by the dense structural planting around Tanton Grange and Farm and to the south by the northern edge of the existing residential areas of Stokesley. Long distance views are not considered relevant as it is considered that from any significant distance the development would be perceived in the context of Stokesley and not separate.

- 5.24 In terms of landscape, the question is whether or not development to the north of the B1365 is considered to be harmful to the character and form of Stokesley or to the character and appearance of the open countryside around the town.
- 5.25 Travelling north along the A172 from the roundabout that forms the junction of the A172 with the A173 and B1257, one travels between agricultural fields, the area to the west of the road being the Stokesley Showfield and to the east open countryside. Views to the east at this point are extensive over open countryside toward the edge of the Cleveland Hills.
- 5.26 Continuing north, the more built up part of the town is noted to the west of the road, albeit the backs of houses on Roseberry Avenue and Meadowfield. The character remains largely rural, with fields predominating to the east and glimpse views of the open countryside beyond. Views to the east are more confined due to the height of the hedge.
- 5.27 On approach to the roundabout junction of the A172 and the B1365, which leads to the application site, the character is dominated by the roundabout and a garden centre. However, owing to the nature and position of development to the south of the B1365, opposite the application site, the character remains predominantly rural. The development to the south is separated from the road by a wide grass verge, hawthorn hedge and a wide grassed area adjacent to Ashwood Drive and Cedarwood Avenue.
- 5.28 The recently approved Tanton Road development contributes little to the experience of users of the B1365, which offers only glimpse views into the site, located to the south west of the road.
- 5.29 There is little in the way of sporadic or other infill forms of development around this edge of Stokesley which could otherwise erode the rural setting of the town. As a result the A172 and B1365 form a strong separation in terms of landscape character, between the urban form of the town and the rural character of the countryside surrounding the town.
- 5.30 It is considered that this development would start a process of change in landscape character from an urban/countryside boundary which, if continued, would change the experience of people from a rural experience to one which was essentially urban. In itself, the scale of development proposed would be sufficient to significantly alter the character of the landscape in this area from rural to urban.
- 5.31 At present Development Limits are clearly defined by the road network and without a planned approach to development it is difficult to define the limit of development using topography and/or structural landscape elements, which would lead to a further erosion of the landscape character of the area.
- 5.32 In order for a development on this site not to fundamentally change the landscape character, it would be necessary to totally screen it with structural vegetation. This would match what is present around Tanton Grange/Farm and, as such, maintain something of the existing urban/rural character of this area. However, the current proposal does not envisage this approach and, it is arguable, that if it is necessary to take such robust screening in mitigation of a development, it suggests the location is not appropriate.
- 5.33 The B1365 and A172 form a clear boundary on the east and north side of Stokesley. This is not just a physical boundary but a visual one as well. To travellers on these roads and visitors to the garden centre and certainly those living on the northern and eastern edges of Stokesley, this is the interface between the town and the country. By allowing housing development to straddle the B1365, the experience would

change from an urban/countryside interface toward an enclosed urban quality adversely impacting on the development form of the settlement and the character and appearance of the countryside surrounding the town. As such the development is considered to fail to accord with the requirements of Development Policies DP30 and DP32, which seek to promote high quality development and protect the character and appearance of the countryside.

- 5.34 The north and east edges of Stokesley are closely defined by housing estates and their associated gardens, bounded by the B1365 and A172. Only sporadic development is found beyond the boundary, which characterises the wider open countryside beyond. Strikes garden centre to the east of the site is perhaps the most extensive and established area of development outside the built form of the town in this locality.
- 5.35 The approach to the town from the north west, along the B1365 is distinctly rural, and on the whole this character is continued as one travels toward the south of the town along the A172 where there are more extensive intrusions into the open countryside in the form of leisure facilities associated with the golf driving range.
- 5.36 Presently there are views across to the tops of the Cleveland hills from the B1365 and A172. The site itself is undulating with levels rising towards the centre and rear of the site increasing the prominence of these parts of the site. Whilst it is noted that significant areas of open space would be incorporated, particularly on these higher parts of the site, the development would still be seen as an isolated intrusion into open countryside.
- 5.37 Development in this location would restrict the views from the B1365 across to the Cleveland Hills. This would have an impact on the character and approach to Stokesley from the north.
- 5.38 Development of this site which would leap the settlement edge of the town formed by the A172 and the road to Tanton, would totally alter the town/countryside interface.
- 5.39 The leaping of development over the A172 would irretrievably alter the town/countryside interface. The landscape character assessment and sensitivity study 2016 carried out as part of the evidence for the new Local Plan states that the B1365 and A172, and the recreational open space that straddles the latter, form a firm settlement boundary to the east of Stokesley. Development beyond these areas would feel separate and remote from the town centre, and would integrate poorly in townscape terms.
- 5.40 It is considered that development at the scale proposed would significantly impact on the form and setting of the settlement.
- 5.41 The proposed development is considered to fail to meet the requirements of Policies CP17 and DP32 as the proposed development fails to respond positively to the character and form of Stokesley.

Housing mix and affordable housing

- 5.42 The applicant has put forward a policy compliant offer of 50% affordable housing and has stated that the mix of housing to be agreed through the submission of reserved matters would comply with the Council's Supplementary Planning Guidance on the Size, Type and Tenure of Housing.
- 5.43 Should the proposed development be approved, the proposed levels of affordable housing could be set by a planning obligation under S106 of the Town and Country Planning Act 1990.

- 5.44 Officers sought assurance about the deliverability of the proposed 50% offer of affordable housing and requested that it be demonstrated that it was deliverable, by way of a viability appraisal, in order that the assumptions within the appraisal could be tested. The applicant has not provided this information.

Amenity

- 5.45 LDF Policy DP1 requires that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), vibration and daylight.
- 5.46 There are no close-by residential properties that would be directly impacted by the proposed development. There may be limited amenity impacts resulting from additional traffic in the area, although these impacts are not considered to warrant a reason for refusal.
- 5.47 Given the location and form of the development it is considered that, notwithstanding the proximity to the neighbouring main roads, a scheme could be designed to afford residents a suitable level of amenity.
- 5.48 The applicant proposes an area of public open space, which is shown on the indicative layout in the north east corner of the site. The Environmental Health Officer has raised a concern about the proximity of the public open space to neighbouring properties. However, it is considered that a suitable layout could be achieved, providing both suitable public open space and the protection of local amenity.
- 5.49 The location on the outskirts of Stokesley would provide relatively good access to the local services provided within the town, albeit with a requirement to provide an appropriate pedestrian crossing of the B1365. The applicant is promoting a number of access improvements including the extension of 28 bus service to serve the north of Stokesley and provide bus stops on the B1365 along with a number of other access improvements set out below in more detail.

Flooding and drainage

- 5.50 The site is located in Flood Zone 1 which is the area of lowest risk. However, it is well known locally that the lower area of this site is prone to surface water flooding.
- 5.51 The applicant has submitted a detailed appraisal of the drainage situation along with a breakdown of the proposed drainage strategy. The Lead Local Flood Authority (NYCC) has been consulted and provided a detailed response. A number of issues have been raised with regard to technical requirements within the assessment. At the time of writing there are still a number of outstanding matters to be resolved with the Lead Local Flood Authority and the applicant is seeking to address these matters prior to consideration of the application. An update on this matter will be provided to the Planning Committee meeting.

Highway impacts

- 5.52 Whilst the application is in outline, access is not a reserved matter. As such the proposed vehicular accesses, emergency accesses and pedestrian accesses onto the site are for consideration at this stage. Access would be achieved via a priority junction off the B1365. The Transport Assessment sets out a number of proposals for off-site highway works (including public transport) these are summarised below:
- Improvements to the 28A bus service to provide an hourly service passing the site including timetable adjustments and infrastructure (bus stops) on the site frontage;

- A travel plan providing a 10% modal shift from car driving within five years and a regular monitoring regime for delivering and maintaining the target;
 - Footway/cycleway links from the site to Tanton Road and Meadowfield, based upon drawing P17013A;
 - A scheme of road lighting along the B1365 linking to the existing lighting on Tanton Road and at the A172 roundabout;
 - The prohibition in perpetuity of access from individual plots for vehicles or pedestrians to the B1365 or the A172; and
 - Improvements to enhance signing and lining at Tanton Bridge.
- 5.53 Following the clarification of a number of points relating to the submitted Transport Assessment, and subject to an agreed package of off-site measures, which would be delivered through a S106 agreement, the Highway Authority is satisfied that the proposed development would not have any significant harmful impacts on highway safety.
- 5.54 The Highway Authority is satisfied that these access points provide for a suitable level of access for both vehicular and pedestrian traffic.

Ecology

- 5.55 A detailed preliminary Ecological Appraisal has been submitted with the application which assesses the impact of the development both in terms of on and off-site ecological impacts as well as the potential for the development to impact on the Special Protection Area and Special Area of Conservation within the boundaries of the North York Moors National Park, over 5km away.
- 5.56 The site is currently an arable field with partly hedged boundary. The Ecological Appraisal concludes that the majority of habitat at the site is of limited ecological interest such that losses to development are not predicted to result in significant adverse effects.
- 5.57 It is considered that any losses will be adequately offset through the provision of new tree and hedgerow planting across the site. It is noted that all retained hedgerows would need to be protected during construction through appropriate fencing. This could be made a condition of any approval.
- 5.58 The proposed development is not predicted to have significant adverse effects on any notable fauna making use of the site.
- 5.59 The nests and eggs of all wild birds are subject to legal protection. The Ecological report states that any clearance of potential nesting habitat (i.e. hedgerows) would be undertaken outside of the bird nesting season (March-August inclusive), or immediately following confirmation by a suitably qualified ecologist that no active nests are present. Again this could be made a condition of any approval.
- 5.60 The Ecological report finishes by setting out the opportunities for ecological enhancement within the site and states that given the limited ecological interest at the site, opportunities exist to significantly increase the ecological importance of the site in its local context. The following enhancements are proposed which could be delivered by the scheme:
- The proposed SuDS drainage features to include wetland and habitats including a combination of wet grassland, marsh, carr, reed beds and/or a permanent area of water (subject to soil composition and hydrological requirements);

- Boundary hedgerows supplemented with additional species to increase their importance for local wildlife;
- New tree planting across the site to increase the tree cover and increase the structural diversity of habitats;
- Retained grassland areas to the west of the site to be over-sown with wildflower seed-mix and managed appropriately.
- Land to the north of B1365 maintained as a permanent grassland area with a greater wildflower component.

5.61 Yorkshire Wildlife Trust has been consulted and subject to a condition requiring an Ecological Enhancement plan, has no objections.

Heritage assets

5.62 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving any listed building affected by the proposal or its setting or any features of special architectural or historic interest which it possesses.

5.63 The property to the north of the site, known as Peaton Carr Farm, is a Grade II listed building, which dates in part from the 17th century, with extensive 19th century additions. The building sits in a commanding position above Stokesley with open fields, including the application site, forming the setting for it.

5.64 The proposed development would be approximately 220m away from the listed building but would have an inevitable impact on the setting of the building. This is considered to particularly be the case due to the development stepping up the slope, toward the building (which otherwise sits in isolation) and effectively intervening in the view of the building from the road. The context for the setting of the building is very much that it sits within an isolated location in open countryside.

5.65 On assessment of the application it is considered that it would lead to less than substantial harm to heritage assets. That harm would be an erosion of the landscape setting of the listed building through urbanisation.

5.66 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing the heritage asset's optimum viable use.

5.67 In this case, where there is considered to be no need for the proposed development there is considered to be no public benefit through the grant of planning permission, which might otherwise outweigh the less than substantial harm to the setting of the listed building. As such it is recommended that the harmful impact on the setting of the listed building form a reason for the refusal of the application.

6.0 RECOMMENDATION

6.1 That subject to any outstanding consultations Planning Committee resolves that, had the appeal not been lodged, the application would have been **REFUSED** for the following reasons:

1. The site lies beyond the Development Limits of Stokesley 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 it is considered that the proposed development would cause significant landscape harm, including the urbanisation of the rural, countryside setting of Stokesley. The proposal would therefore be contrary to Hambleton Local Development Framework policies CP1, CP2, CP3, CP4, CP6, CP16, CP19, DP1, DP5, DP6, DP8, DP9, DP10, DP28, DP30, DP31, and DP37 and the aims and objectives of the National Planning Policy Framework to deliver housing growth in a plan-led system and sustainable development.

2. With regard to available evidence of surface water flooding, the submitted information is insufficient for the full and proper assessment of the proposals and as such the proposed development is considered to be contrary to Policies CP1, CP3, CP17, CP21, DP1, DP6, DP32, DP33, and DP43 of Hambleton Local Development Framework and guidance contained in National Planning Policy Framework and North Yorkshire County Council SuDS Design Guidance.
3. In the absence of a signed Planning Obligation the proposal fails to deliver an appropriate level of affordable housing contrary to Policies CP9, CP9A and DP15 of the adopted Hambleton Local Development Framework as amplified by the Adopted Affordable Housing Supplementary Planning Document.
4. The proposed development would have a detrimental urbanising impact on the countryside setting of the nearby listed building, Peaton Carr Farm without demonstration of public benefit in terms of the need for housing development. The proposed development is therefore considered to fail to accord with Policy CP16 along with Development Policy DP28.