

**Parish: Aldwark**  
**Ward: Easingwold**  
**1**

Committee date: 25<sup>th</sup> July 2019  
Officer dealing: Miss Charlotte Cornforth  
Target date: 29<sup>th</sup> July 2019

**19/00774/FUL**

**Construction of two semi-detached cottages with access and parking. Extensions to the existing dwelling of The Cottage  
At The Cottage, Aldwark  
For Mr James Bladon**

**The application is referred to the Planning Committee as the proposal is a departure from the Development Plan.**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The application site is located within the village of Aldwark on the north eastern side of the village street (going out towards Alne and Flawith). The site is relatively level, with various fence and hedge boundaries together with tree and hedge provision within the site.
- 1.2 The site is also located within the Aldwark Conservation Area. This Area was designated in 1991 and covers the majority of the village, including Aldwark Manor (1865) to the south. The village focuses upon a single street which runs parallel with the River Ure to its west, bending east as it heads towards Alne.
- 1.3 Currently the site is occupied by a small detached house known as The Cottage within a large open area of 'garden' land. To the south west of the site is the dwelling known as Beech House and to the north east is the dwelling known as Old Woodholme. Opposite the site are dwellings known as Cobble Hill Barn and The Granary.

### The parcel of land – construction of two semi-detached dwellings

- 1.4 To the south west of the dwelling of The Cottage, is a parcel of land that is currently used as garden land in associated with The Cottage.
- 1.5 It is proposed within this area of land to construct 2 semi-detached dwellings, reflecting the existing building line of The Cottage. The dwelling closest to Beech House to the south would be 2 bedroom, with The Cottage to the north being 3 bedroom. There will be a two storey cross wing element to accommodate the third bedroom.
- 1.6 The dwellings are shown to be lower in height than the adjacent dwelling of the Beech House, but higher than The Cottage. There is a single storey side element to the south and north side of both front doors. The dwellings will have chimneys and bay windows.
- 1.7 The materials are to reflect those used on older properties in the area, mellow red clamp bricks to the outer walls with a traditional natural red clay pantile to the roof. The fenestration and other detailing will reflect that of the renovated cottage to its right, with timber windows and doors. There are no windows to the first floor to the south elevation. looking towards Beech House.

- 1.8 The existing vehicular access that is used for The Cottage will be utilised for the new dwellings and each dwelling and The Cottage will have single storey garaging and bike store to the rear, with car parking spaces.

#### The Cottage itself – extensions and renovations

- 1.9 The agent has advised that the dwelling The Cottage is too small for modern living and in need of full restoration. The agent has identified the building as a 'non-designated heritage asset' and the Local Planning Authority would agree with this analysis (details of the assessment are given later in this report).
- 1.10 The dwelling is two storey, with a single storey rear offshoot and a further lean to conservatory that is positioned off the back wall of the dwelling. The single storey rear off shoot and conservatory are proposed to be demolished.
- 1.11 The proposal seeks the construction of a rear extension and a detached garage following the demolition of the existing single storey rear extension. This main two storey extension to the rear sits parallel with the existing cottage with new gables at either end, that extend to a point 750mm from each of the side gables. A single storey offshoot from the two storey cross wing and a further single storey lean to off the northern side are proposed. The extensions are to be constructed from brick and pantile, with timber windows and doors.
- 1.12 No development is proposed to the north-east of The Cottage up to Old Woodholme, with the existing trees and hedgerows to be retained.
- 1.13 During the course of the application, to achieve visibility splays the plans have been amended to show the front boundary hedgerow to be removed and set further back. The dwellings are shown to have pedestrian access from the road, with timber gates.
- 1.14 The application has been accompanied by a Heritage Assessment from ELG Heritage dated March 2019.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

#### The application site

- 2.1 05/01094/FUL - Construction of a replacement dwelling and detached domestic double garage; Application refused 04.07.2005.
- 2.2 06/00571/FUL - Revised application for the construction of a replacement dwelling and detached domestic garage; Application refused 09.05.2006 and appeal dismissed 06/00053/REFUSE 2007.

The Inspector identified that The Cottage had a value to the character and appearance of the Conservation Area by virtue of its modest 2 storey size and being of some age and typical of a farm workers cottage. The Inspector concluded that the demolition of the cottage would be a material loss to the pleasing appearance and organic character of the Conservation Area.

- 2.3 18/02398/FUL - Construction of rear extension and detached garage following demolition of existing single storey rear extension; Application withdrawn 21.01.2019.
- 2.4 18/02401/FUL - Construction of a new dwelling and double garage; Application withdrawn 21.01.2019.

#### The dwellings to the south (Beech House and Hawthorne House)

- 2.5 04/01153/FUL - Construction of 2 detached dwellings and domestic garages with associated works as amended by plans as received by Hambleton District Council on 19 July 2004; Application granted 04.08.2004.

Condition 09 of the approval stated:

Prior to occupation of the dwellings a sight line shall be provided at the access to such dwellings, measured a distance of 2 metres back from the parallel to the edge of the existing carriageway along the total site frontage. Thereafter the area between the sight lines and the highway boundary shall remain clear of any obstruction in excess of 1 metre in height above the adjoining carriageway level.

It appears that the front hedge row is not set back by 2 metres and is not lower than 1 metre in height.

### **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 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 force  
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 DP28 - Conservation  
Development Policy DP30 - Protecting the character and appearance of the countryside  
Development Policy DP32 - General design  
Development Policy DP33 – Landscaping  
Development Policy DP43 - Flooding and floodplains  
Interim Guidance Note - adopted by Council on 7th April 2015  
Size, Type and Tenure of New Homes SPD - adopted September 2015  
National Planning Policy Framework

### **4.0 CONSULTATIONS**

- 4.1 Aldwark Parish Council – objected to the original and revised scheme. A summary of the objection is:

- The amended plans illustrate the proposed visibility splays associated with the proposed new access road into the site. This appears to be contrary to the guidance provided by NYCC Highways in terms of the required dimensions of the splays and seems to show a realignment of part of the existing hedgerow to the front of Beech House which the applicant has neither ownership of nor has served the requisite certificate of ownership (Certificate B) on the adjoining property owner
- The proposed construction of the two new dwellings would have an adverse impact on the historic setting of the existing Cottage within the village and the Aldwark Conservation Area.

- There is little or no public benefit likely to accrue from the new dwellings unless there are specific safeguards put in place to make the new properties affordable such as restrictions limiting their sale to existing local first time buyers.
- The reasons for the previous refusals for development on this site still apply.
- Although not part of this application, the remaining unallocated and undeveloped L-shaped parcel of land should be preserved to retain the character and setting of The Cottage. Major concern has been expressed about the prospect of the applicant seeking permission to develop this land in the future for additional residential development and both local residents and the Parish Council would like reassurance that any future proposals for tandem residential development would be resisted

4.2 NYCC Local Highway Authority – regarding the revised application, they are satisfied that that visibility splays can be achieved of 33 metres in a westerly direction and 50 metres in an easterly direction measured 2.4 metres down the centre line of the access point by removing the front hedgerow and setting it further back.

4.3 Yorkshire Water – no observations to be made.

4.4 Public comments and site notice – 5 letters of objection have been received the original and revised scheme. A summary of their objections are:

- With regard to the existing cottage, I have no objection in principle as it will be to the benefit of the village and will hopefully lead to the occupation of the cottage as opposed to it continuing to stand empty and dilapidated
- There will be no benefit from the addition of another 2 dwellings
- The present application has been designed so as to maintain the strip of land between the application site and Old Woodholme to the North East. I believe this is to permit a future vehicular access to the rear of the site to enable further residential development
- This picturesque Conservation Area village is systematically losing its identity and character but this is what will happen if you continue to approve the development of every piece of green space in the village for nothing but financial gain
- The proposal which includes an additional building would be damaging to the townscape that the conservation area seeks to protect. The property has been subject to 4 previous planning applications which have either been refused or withdrawn. A previous application resulted in the inspector commenting...

”the cottage with its associated spacing makes a positive contribution to the Conservation Area and its townscape, being a well-established authentic element of the local vernacular and a characteristic element in the layout of this village of agriculture character”

- The proposed development includes the addition of a new building alongside the existing cottage. Any new building, on either side of the cottage, will have detrimental effect on the conservation of the original building
- The proposal has no public benefit as it replaces a character farmworkers cottage, with open spaces around it, with three houses, three garages and six hard standing areas

- The proposal completely fills any gap between 'The Cottage' and 'Beach House' and takes away any view of fields and green spaces which are currently a feature of the site.
- This development adds a definite risk of road traffic accidents in a residential village with a narrow road. I am concerned at the expectation that three houses with a potential for six additional cars will share a drive that is only one cars width. I foresee congestion as two or more cars try and access that drive at the same time, leading to the possibility of up to six cars being parked on the road in a position where there are numerous other driveways

## 5.0 ANALYSIS

The main considerations to be taken into account are:

Heritage assets  
 Principle of development  
 Housing type and tenure  
 Character of the village  
 Design  
 Land contamination  
 Highway safety  
 Drainage  
 Residential amenity

### Heritage assets

#### Non Designated Heritage Asset (NDHA) of The Cottage

- 5.1 The Cottage dates to the late 19th century and is a typical example of a brick-built cottage with pantile roof found in Hambleton. It is small in scale and sits in a large plot, opposite and adjacent to converted farm buildings. The age and aesthetic value/appeal are considered to be the most significant criteria that justify the classification of the building as a 'Non-Designated Heritage Asset' (NDHA). This assessment is made with reference to the list of criteria adopted by the Council to assess whether a feature should be considered to be a 'Non-Designated Heritage Asset'. This assessment is also consistent with the commentary of the Planning Inspector noted at 2.2 above.
- 5.2 It is considered that some of the historic character of The Cottage has been eroded through the replacement of traditional windows with modern casements in the front which appear to be 1950s in date.
- 5.3 The Cottage is considered to contribute towards the aesthetic value of the wider Conservation Area. It has been altered in the mid-20th century. Improvements to the fenestration detailing are proposed including the installation of timber sliding sash windows and a timber door, this will preserve and enhance the character and appearance of the Conservation Area and the works have been identified in the Heritage Assessment as being substantially beneficial to the NDHA a conclusion with which officers agree.
- 5.4 The existing non-traditional, UPVC conservatory to the rear of the property will be removed as part of this application. Its removal is welcomed and will enhance the character of the Conservation Area and has been identified to have a minor beneficial impact upon NDHA.

- 5.5 The rear will be extended using a dual pitch, set in from both gables to ensure subservience. There will be glimpsed views of the rear from the Conservation Area. There is also an example of a similar extension within the village, on the dwelling known as The Old Post Office (Planning Reference 12/01429/FUL) 5.6 The materials of the extensions will reflect those used on older properties in the area, mellow red clamp bricks to the outer walls with a traditional natural red clay pantile to the roof.
- 5.6 It is considered that the proposed extension whilst visible at an angle will not take away from the original form and character of the smaller cottage and has been assessed to have a negligible but adverse impact upon NDHA.
- 5.7 The extension has been identified to have a negligible adverse impact upon NDHA. However, it is considered that this would not constitute less than substantial harm to the special interest of the NDHA.

#### Impact upon the Aldwark Conservation Area

- 5.8 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Aldwark Conservation Area.
- 5.9 The National Planning Policy Framework at paras 189, 190 and 192 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset.
- 5.10 In assessing the proposal considerable great importance and weight has been given to the desirability of preserving and enhance the character and appearance of the heritage asset in assessing the proposal.
- 5.11 In terms of the character of the Aldwark Conservation Area, the village focuses upon a single street which runs parallel with the River Ure to its west, bending east as it heads towards Alne. The village has evolved to meet the needs of the estate, comprising of individual farmsteads and workers cottages.
- 5.12 The village today is a product of largely late 18<sup>th</sup> and mid-19<sup>th</sup> century development which met the needs of the farming population as part of the Aldwark estate. The character has been altered significantly over the last 50 years with the infilling of many gap sites throughout the settlement, most notably those to the south-west of The Cottage.
- 5.13 The Conservation Area has evidential value in the presence of historic features within the designated area, most notably, the moat and map reference to Aldwark Hall.
- 5.14 Aldwark has an illustrative value in the evolution of the settlement from medieval beginnings through to mid-19<sup>th</sup> century developments, including the church and Aldwark Manor; to the more recent early 21<sup>st</sup> century developments which infill the breaks in form. The village has an estate character which has been largely maintained.
- 5.15 The Conservation Area is formed by the predominant building type, being of brick with pantile roofs, including farmhouses, cottages and farmsteads. The aesthetic has altered over recent years with the construction of several large detached dwellings, which has taken up the gap sites. The Heritage Statement argues that such gap sites are no longer part of the Conservation Area character.

- 5.16 No development is proposed to the north-east of The Cottage up to Old Woodholme, with the existing trees and hedgerows to be retained. The agent has suggested that they are willing to enter into a legal agreement in the form of a S016 agreement or Unilateral Undertaking to ensure that this land will not be developed and will be retained as a paddock/orchard area.
- 5.17 With specific reference to the application site, this area of the Conservation Area has changed more than the southern half of the village and is now dominated by a domestic character and continuously developed road frontage. The barns opposite The Cottage have been altered and extended significantly to form residential dwellings.
- 5.18 The works to The Cottage as described in the above section are considered to make a positive contribution towards the character and appearance of the Conservation Area as the design of the extension is consistent with other extensions in the village and typical of a rural village of this nature. Furthermore, the details of the replacement windows and doors will reinstate a typical late 19<sup>th</sup> cottage style on the front elevation of The Cottage which is prominent within the Conservation Area.
- 5.19 In terms of the construction of two semi-detached cottages and garages, the dwellings have been designed in a traditional form, to be lower than the dwelling to the west (Beech House) and provide a stepping down effect within the street scene. This is considered as identified within the Heritage Assessment to be an appropriate scale and form and has a minor adverse impact upon the Conservation Area.
- 5.20 The new dwellings would reduce the amount of open space within the street scene of the conservation area. The character of the Aldwark Conservation Area has evolved in the recent times and the Heritage Assessment considers that the open surroundings to The Cottage are an anomaly.
- 5.21 The new dwellings will provide a visual link between the recently constructed larger dwelling to the west and The Cottage which is of a small scale to the east.
- 5.22 The garages to the rear of the plots will be relatively low in height and integrated within the existing landscape features. There will be limited views of these from the Conservation Area.
- 5.23 There will be some hard landscaping which will have an impact upon the character of the Conservation Area in the form of the driveway and parking spaces. However, there will be hedgerows planted along the sides of this driveway which will soften the impact of these features and are considered appropriate to the Conservation Area setting.
- 5.24 The Heritage Assessment identifies a number of beneficial effects to the street scene character and setting of the non-designated heritage asset. Harm is identified through the siting of a new building within the street scene and this relates to the principle of new development and the impact that will have as a new element within the village.
- 5.25 As set out above the harm should be considered against the public benefits of the scheme.
- 5.26 Public benefits include:
- Enhancing the character and appearance of The Cottage through the insertion of appropriate windows and doors

- Bringing The Cottage back into use and up to standard for modern-day-use and to meet the minimum space standard requirements (currently it falls below these standards)
- Bridging the gap between the large properties to the west and The Cottage, producing an appropriate street scene which fits comfortably within the space
- Provision of two (new) small three bed dwellings in a village which is dominated by large detached properties.

#### Principle of Development

- 5.27 The village of Aldwark does not have any Development Limits as defined within policy CP4 of the Core Strategy. Policy DP9 states that development will only be granted for sites 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).
- 5.28 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 and relates to residential development within villages. The IPG includes an updated Settlement Hierarchy.
- 5.29 The IPG states that the Council will support small-scale housing development in villages where it contributes towards achieving sustainable development by maintaining or enhancing the vitality of the local community and where it meets all of the following criteria:
1. Development should be located where it will support local services including services in a village nearby.
  2. Development must be small in scale, reflecting the existing built form and character of the village.
  3. Development must not have a detrimental impact on the natural, built and historic environment.
  4. Development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
  5. Development must be capable of being accommodated within the capacity of existing or planned infrastructure.
  6. Development must conform with all other relevant LDF policies.
- 5.30 The IPG states that small scale development adjacent to the main built form of such settlements "will be supported where it results in incremental and organic growth". To satisfy criterion 1 of the IPG the proposed development must provide support to local services including services in a village nearby. The IPG advises that development in villages with no or few services or without convenient access to services in a nearby settlement will not be considered sustainable. With settlements on the edge of the Local Planning Authority area, consideration will be given to their relationship to settlements in neighbouring Districts.
- 5.31 The village of Aldwark is located from 3.3km from both the larger villages with greater services of Alne and Great Ouseburn (Harrogate District). This is over the typically prescribed "approximately 2km... between settlement" and beyond the distance that would result in the village being considered a sustainable cluster.



- 5.32 Aldwark has an active church; St Stephens, a children's play area, a successful pub, which has recently been granted permission to expand the restaurant and establish hotel facilities; the village also hosts Aldwark Manor which has a gym, swimming pool and golf course which can be accessed via membership or single day pass for people locally. Adjacent to Aldwark Toll Bridge is the Central Yorkshire Scout Activity Centre which offers water-based activities and residential training courses, as well as a traversing wall and archery activities.
- 5.33 Reliance Motor Services up until June 2019 operated a bus service from Aldwark to Easingwold 6 times a day and to York 5 times a day. This bus also called in at neighbouring villages, including Flawith where there is a veterinary surgery. This former bus service was limited. The bus service has now been reduced to a single service during school term time. Therefore, children in Aldwark are still able to access the local schools, enabling families to live within the village, however the site is not sustainable in terms of the LDF policies.
- 5.34 Whilst not within the prescribed 2km distance to a sustainable settlement, as set out in the Hambleton Settlement Hierarchy of CP4 Aldwark is fortunate in its central location to the sustainable settlements of Alne (secondary village), Tollerton (secondary village), Linton on Ouse (service village) and Newton on Ouse (clusters with Linton on Ouse to be considered a sustainable location), and its own host of facilities within Aldwark village.
- 5.35 The agent has also stated that the Planning Practice Guidance in the Rural Housing section clarifies that: "A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities". The agent has stated that it does not mention the need for bus service to connect various communities and it should be remembered that Aldwark needs small scale, incremental development to meet local needs in order to sustain the existing facilities that it has.
- 5.36 The agent has also stated that Paragraph 103 of the NPPF states that "opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision making". It is clear that there is recognition that people drive in rural areas, they simply do not rely upon a bus service and cannot do so in the majority of villages in Hambleton. The ever reducing bus service throughout Hambleton means that it cannot be relied upon in order to consider the sustainability of our rural communities.
- 5.37 The agent has stated that the site is not in an isolated location; it falls within the built form of the existing village and will contribute to the sustainability of the existing community through the provision of two small cottages.
- 5.38 However, weight should be given to the fact that the Reliance Motor Bus Service has been reduced to operate a single service during school term time in terms of the wider sustainability of the settlement of Aldwark. The site does not have an alternative to the private car to access all services and facilities other than during school term time when a limited service is available to provide access to school. The proposal fails the test of LDF Policies CP1, CP2, CP4, DP3, DP4 and the Interim Policy Guidance.

#### Housing type and tenure

- 5.39 The dwelling closest to Beech House to the south will be 2 bedroom, with the cottage to the north being 3 bedroom. There will be a two storey cross wing element to accommodate the third bedroom. Each of the cottages meets the National Described

Space Standards (NDSS). The Cottage, with the alterations and extensions will allow the dwelling to have 3 bedrooms which meet the NDSS.

- 5.40 It is considered that in this case, the size type and tenure of the dwellings meet the local housing need, complying with adopted Policy CP8 and the Supplementary Planning Document.

#### Character of the village

- 5.41 With regard to criterion 2 of the IPG, development must be small in scale and reflect the existing built form and character of the village. The proposal is for 2 dwellings and it is therefore considered small in scale as the IPG refers to small scale comprising up to five dwellings.
- 5.42 The proposed development for two dwellings, set within spacious plots would be consistent with the character and scale of development in the immediate area. The plots would reflect the building line of this side of the road, with roof ridges parallel to the road, in a linear form.
- 5.43 Criterion 3 states that development must not have a detrimental impact upon the natural, built and historic environment. The heritage assets have already been considered within the report.
- 5.44 The application site relates to the development of an existing domestic garden with a dwelling. It is appreciated that the site is bound by a mature hedgerow and trees. There is no significant ecological interest associated with the site itself.
- 5.45 Criterion 4 states development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
- 5.46 The site has a clear physical relationship with the main built form of the village rather than the adjacent countryside beyond the settlement. The site is defined by physical boundaries as well as being surrounded by existing development
- 5.47 The site is part of the main built up area of the settlement and does not border open countryside or currently allow views of the open countryside beyond the village.
- 5.48 In light of the above, the proposal is considered to not have a detrimental impact upon the open character and appearance of the surrounding countryside or lead to the coalescence of settlements and meets the requirements the criteria.

#### Design

- 5.49 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."
- 5.50 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.51 The design and appearance of dwellings would also reflect the positive architectural elements that contribute to the character of the Aldwark Conservation Area. These elements include simple fenestrations, sash style windows, pitched roofs with

chimney stacks. The materials will reflect those used on older properties in the area, mellow red clamp bricks to the outer walls with a traditional natural red clay pantile to the roof.

- 5.52 The development proposals will therefore deliver a high quality of design that will complement local character.

#### Residential amenity

- 5.53 It is considered that due to positioning of the dwellings, the dwellings being relatively low in height, the positioning of the openings and the landscape features that will be retained, there would not be a material adverse impact upon the amenity of the neighbouring occupiers.
- 5.54 Each dwelling has adequate private amenity space for the future occupants. There will be a hedge boundary to each plot to ensure that there is a level of privacy for each dwelling.
- 5.55 It is considered that the proposal will not be detrimental to residential amenity in accordance with Policies CP1 and DP1.

#### Highway safety

- 5.56 Criterion 5 of the IPG states that development must be capable of being accommodated within the capacity of existing or planned infrastructure.
- 5.57 During the course of the application, to achieve visibility splays the plans have been amended to show the front boundary hedgerow to be in part removed and set further back. These splays can be achieved within the applicant's ownership.
- 5.58 The Highway Authority has raised no objection to the proposal and visibility splays can be provided. There is adequate on-site turning and parking for each plot and the existing dwelling of The Cottage. It is considered that the proposal will not be detrimental to highway safety.

#### Drainage

- 5.59 Foul drainage would be disposed of via a package treatment plan and surface water via a soakaway. There is no evidence to suggest that the demands on the infrastructure of the village arising from the development would be so great that the infrastructure would be unable to cope with the additional development or cause harm to the amenity of the village.

#### Land contamination

- 5.60 The submitted information does not identify any asbestos, fuel, oil or chemical storage, waste disposal, burning or any other risks of land contamination. Therefore, the proposal is considered to not result in an unacceptable risk from contamination.

#### Public benefits

- 5.61 In terms of the extensions to The Cottage, they make a positive contribution towards the character and appearance of the Conservation Area as the design of the extension is consistent with other extensions in the village and typical of a rural village of this nature. Furthermore, the details of the replacement windows and doors will reinstate a typical late 19th cottage style on the front elevation of The Cottage which is prominent within the Conservation Area.

- 5.62 Harm is identified through the siting of a new building within the street scene and Conservation Area and this relates to the principle of new development and the impact that will have as a new element within the village.
- 5.63 It is considered that the public benefits in this case do not outweigh the harm caused to the heritage asset of the Aldwark Conservation Area.

#### Planning balance

- 5.64 The proposal would create two new homes and bring one home back into use and up to standard for modern-day-use and to meet the minimum space standard requirements in a village that has some services. However, there are limited public transport links between the village and other sustainable settlements and those settlements are relatively distant resulting in a reliance on the private car.
- 5.65 Overall, it is considered the proposal represents an unacceptable development; the proposal would harm the character and significance of the Aldwark Conservation Area without sufficient public benefit to outweigh this harm.

### **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission is **REFUSED** for the following reasons:

1. The siting of two dwellings and associated amenity space and garaging on this open area would be harmful to the openness of this part of the Aldwark Conservation Area due to the location of the dwellings. The proposal is considered to fail to preserve or enhance the character and appearance of the Conservation Area as stated within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as required by NPPF the harm has been weighed against the public benefits of the scheme and it is found that the harm to the significance of the Conservation Area is not outweighed by the public benefits.

2. The proposal represents unsustainable development on a site outside of the Development Limits of a settlement in the Hambleton Settlement Hierarchy without a clear and exceptional case for development, contrary to Policies CP1, CP2, CP4, DP3 and DP4 of the adopted Hambleton Local Development Framework, which (amongst other things) seeks to reduce the need for travel by car, relieve pressure on the open countryside and locate new housing close to existing services and facilities. The proposed development is also contrary to the Council's Interim Policy Guidance, adopted April 2015, which sets out 6 criteria to be met in order for new development to be considered to be acceptable, in order to achieve a sustainable development by maintaining or enhancing the vitality of the local community. The proposal fails to meet the requirements of criterion 1 and 4 of the Interim Policy Guidance as the site is not located where it will support local services.