

**Parish: Bedale**  
**Ward: Bedale**  
**1**

Committee Date: 9 January 2020  
Officer dealing: Mrs H Laws  
Target Date: 23 January 2020

**19/02128/FUL**

**Demolition of 4 bungalows and removal of existing trees to facilitate the construction of a 59 apartment extra care building with associated hard and soft landscaping and parking as amended by plans received by Hambleton District Council on 5 December 2019.**

**At: Land To Rear (Easby's Field) Queen Anne's Drive Bedale North Yorkshire**  
**For: Broadacres Housing Association**

## **1.0 SITE CONTEXT & PROPOSAL**

- 1.1 The site lies on an area of land towards the south western end of Bedale, to the south of dwellings on Queen Anne's Drive. Grange Close is located to the east, and Beechwood Court/Close and Pinewood Grove to the south. To the west lies an area of overgrown land with the Bedale Allotments beyond. The site is landlocked with no vehicular access currently available.
- 1.2 The majority of the site (i.e. excluding the four bungalows on Queen Anne's Drive proposed for demolition) is allocated in the Local Development Framework for housing (Policy BH1). The land is currently overgrown and neglected and is occupied by three areas of trees that are the subject of a Tree Preservation Order (TPO). The site slopes downwards in a north to south direction with the application site being lower than Queen Anne's Drive but higher than the land on Beechwood Close, Beechwood Court and Pinewood Grove.
- 1.3 As identified in Section 2.0 below, the majority of the site is allocated (BH1) for housing development within the Local Development Framework, as part of a larger site for around 55 dwellings. To the south west of the application site lies an overgrown area of land that forms the remainder of Allocation BH1.
- 1.4 It is proposed to remove a total of 13 trees within the site. Only one of the trees the subject of the TPO would remain; this tree is a sycamore on the southern boundary of the site. A landscaping scheme is proposed for all external areas of the site to include a more formal garden within the central courtyard and an orchard and wildflower meadow to the south
- 1.5 The location plan shows the extent of the site boundary covering an area of 0.75ha. The application has been submitted with a Design and Access Statement; a Transport Statement; an Arboricultural Impact Assessment; an Ecological Appraisal; a Phase I & II Geo-Environmental Assessment; and a Statement of Land Identification for an Extra Care Scheme in Bedale.
- 1.6 It is proposed to construct a building in which to provide an extra care facility. A total of 59 units are proposed; 22 units on the ground floor; 29 on the first floor; and 8 on the second floor. The accommodation within the building would comprise:
  - 15no. one bedroom apartments
  - 36no. two bedroom apartments
  - 8no. studio apartments
  - 2no. residents lounges
  - Meeting room
  - 2no. quiet lounges
  - Publicly available café area with associated kitchen

- Hair salon
- Reception/office and staff room
- Laundry
- Assisted bathroom
- Plant rooms
- Cleaner stores

- 1.7 It is proposed to access the site from Queen Anne's Drive on land currently occupied by bungalows in the ownership of the applicant (numbers 13, 15, 17 and 19). A total of four bungalows would be demolished to provide an access into the site. A client statement has been submitted explaining the background to the relocation of the existing residents. The affected residents have been kept informed of the process since October 2018, have been provided with options for alternative housing and will be provided with payments and expenses towards a move. Full support has been provided and will continue throughout the process should the development proceed.
- 1.8 The proposed building would effectively be U-shaped with a courtyard positioned within the central space, open to the southern boundary. The building would be made up of different sections and heights but completely interconnected as a single building. The majority of the building would be two storeys and the inner section of the U-shape facing into the courtyard would be three storeys in height. The building would be finished in a mix of brickwork and render with concrete roof tiles. The windows throughout the building would be upvc and the doors and window glazing at the entrance to the building would be dark grey powder coated aluminium.
- 1.9 A sub-station is proposed to be constructed in the eastern corner of the car parking area adjacent to a proposed bin storage area.
- 1.10 A statement provided by the applicant to explain the background to the proposal has been submitted as part of the submission for the extra care units. The proposed development is a result of North Yorkshire County Council commissioning a Housing Market Research Report that identified a need for extra care provision in Bedale. Extra care is a different type of provision to a care home facility and allows the residents much more independence. Following an Invitation to Tender process, the proposed scheme is the only one from six possible providers that is compliant and, subject to planning permission, achievable. The compliance is due to the site's proximity to the community, facilities such as the health centre and shops, and infrastructure.
- 1.11 Improvements to the layout and detailed design of the buildings were secured at pre-application stage.

## **2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY**

- 2.1 TPO No. 1985/09 confirmed January 1986, relating to three areas of trees A1, A2 and A3 including a mix of elder, sycamore, hawthorn and ash.
- 2.2 As noted in paragraph 1.1, the majority of the site is allocated for housing development within the Council's Local Development Framework and the requirements are as follows:

BH1 Masham Road, Bedale (1.5ha)

This site is allocated for housing development in Phase 1 (up to 2016) subject to:

- development being at a density of approximately 35 dwellings per hectare, resulting in a capacity of around 55 dwellings (of which a target of 40% should be affordable);
- types and tenure of housing developed meeting the latest evidence of local needs;
- an alternative location being provided for the current allotments occupying the site;

- iv. vehicular access to the site being taken exclusively from Masham Road through the development to the south;
- v. contributions from the developer providing improvements to pedestrian and cycle access in the area, particularly retaining the public right of way across the site and along Firby Road to local facilities;
- vi. contributions from the developer towards providing public open space, necessary infrastructure improvements, particularly increasing sewerage and sewage disposal capacity; and
- vii. contributions from the developer towards the provision of additional school places and local health care facilities as necessary.

### 2.3 History on the adjacent part of the Allocation:

18/00592/FUL - Residential development for the construction of 14 dwellings. Permission refused 29/4/2019 for the following reasons:

1. The proposed development fails to provide the required level of affordable housing and as such is not considered to accord with the requirements of Allocations Document Policy BH1, which requires 40% of the housing within the allocation site to be affordable.
2. The proposed development fails to meet the requirements of allocation BH1 as no alternative location is being provided for the allotments which occupied the site. The investment into the remaining allotments is not considered to be sufficient to off-set the harm caused by the loss of the allotments, resulting from the development of this site.
3. Due to the lack of proposed improvements to the pedestrian and cycle access in the area as required by the allocation, it is considered that the proposed development does not result in a sufficiently sustainable form of development, in terms of its connectivity to local services, by sustainable means of transport.

### 2.4 19/01511/FUL - Residential Development comprising 14 dwellings (resubmission). Permission refused 20/9/2019 for the same reasons as those given above.

## 3.0 RELEVANT PLANNING POLICIES

### 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development  
 Core Strategy Policy CP2 - Access  
 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 CP16 - Protecting and enhancing natural and man-made assets  
 Core Strategy Policy CP17 - Promoting high quality design  
 Core Strategy Policy CP21 - Safe response to natural and other forces  
 Development Policies DP1 - Protecting amenity  
 Development Policies DP4 - Access for all  
 Development Policies DP6 - Utilities and infrastructure  
 Development Policies DP8 - Development Limits  
 Development Policies DP13 - Achieving and maintaining the right mix of housing  
 Development Policies DP15 - Promoting and maintaining affordable housing  
 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 DP43 - Flooding and floodplains  
Allocations Document Policy BH1 - Masham Road, Bedale - adopted 21 December 2010  
Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015

#### **4.0 CONSULTATIONS**

**4.1 Town Council - wish to oppose the application for the following reasons:**

**Traffic:** The traffic situation on Queen Anne's Drive, Firby Road, and the five lane ends where Firby Road meets the B6268, is already unsatisfactory, and the recent approval of expansion plans for the Glebe House Surgery will only add to that. The Council feels that the inevitable and substantial increase of vehicle traffic resulting from this planned development will cause unacceptable levels of congestion, pollution, noise and inconvenience for residents, and for staff and users of the surgery, school and leisure centre. The five lane ends junction, which already causes alarm among drivers and pedestrians, would be even more dangerous with the increase in traffic resulting from such a development, and the inevitable increase in impatience among drivers. The Council does not see how any development on this site can go forward without access being from Masham Road/Calvert Way rather than Firby Road/Queen Anne's Drive.

**Parking:** While accepting that many of the residents of the 59 units proposed will not be car owners, the Council feels that some will, and that in any case the 28 spaces proposed are nowhere near sufficient for the number of visitors, staff and deliveries such a large facility would attract. The only option for overflow parking would be on Queen Anne's Drive, where parking on pavements is already an issue for wheelchair and pushchair users.

**Design:** While appreciating the efforts the applicant has made to make the design less obtrusive, the Council feels that the building as proposed remains out of scale to its surroundings, with the third storey in particular being obtrusive and architecturally unpleasant. The Council heard from and agreed with a number of residents who accept that this land will be developed in accordance with the Local Plan, but feels strongly that this particular scheme is trying to cram an inappropriate number of units into the space available

**Landscape:** The Council feels that the landscaping attached to this scheme is "off the shelf" rather than bespoke. It is uninspiring and does not go far enough to replace the trees which will be felled in order to clear the land.

**4.2 NYCC Highways - no objections subject to conditions regarding the construction of the new access and the provision of parking and turning facilities on site in accordance with the submitted drawings.**

**4.3 MOD Safeguarding - no height safeguarding concerns. The principal concern of the MOD is that the creation of new habitats may attract and support populations of large and or flocking birds close to an aerodrome. There is potential to attract or support hazardous birds if the drainage detention basin holds water on a permanent or semi-permanent basis and there are no details as of yet of the proposed landscaping for the site.**

**4.4 Yorkshire Water - conditions recommended**

**4.5 HDC Environmental Health Officer (Contaminated Land) - conditions are recommended**

4.6 Publicity - objections have been received from more than 80 local residents, the comments are summarised as follows:

- Access - safety concerns due to the added volume of traffic
- Pollution resulting from more traffic
- Insufficient parking
- The building would be an overdevelopment of the site
- The building would be in the highest part of town and would overshadow neighbouring properties
- Overlooking of existing properties
- Loss of the protected trees and associated wildlife habitat
- Requires four properties to be demolished resulting in the need to re-home potentially vulnerable residents
- Light pollution
- Café and hairdresser proposed and open to the public; existing facilities lie within the town
- Hard surfacing will increase flood risk
- Disruption in respect of construction works
- Alternative sites should be considered

## 5.0 ANALYSIS

5.1 The principle of development has been established with the allocation of this site as part of a larger site for residential development. The remaining planning issues relate to (i) the principle of allowing a part of the land allocated to be developed; (ii) the requirement for affordable housing provision; (iii) the design and layout of the development and its impact on the character and appearance of the area; (iv) the impact on neighbour amenity; (v) trees and ecology; (vi) community engagement; and (vii) highway matters.

### The Principle of Development

5.2 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. As noted in paragraph 2.1 above, 1.5ha of land is allocated for new housing under Policy BH1, of which the majority of this site forms a part, and which states that the land is allocated for housing for release in Phase 1 (up to 2016). No planning applications have been considered on this specific parcel of land since the land was allocated for development. The remainder of the allocation has been subject to a refused application for housing development.

5.3 The NPPF in paragraph 59 emphasises the importance of bringing forward land where it is needed and that land is developed without unnecessary delay. The landowner of the adjacent part of the allocated site is holding a ransom strip, which precludes access to the site from Masham Road as would be required by BH1; the application site is otherwise landlocked. The development of the site by Broadacres provides an opportunity to gain access through their existing elderly person's accommodation, which would require the removal of three of the dwellings. A fourth resident has expressed a preference for relocating, allowing the opportunity to demolish four bungalows to create a better access onto Queen Anne's Drive. This would allow the development of the site from Queen Anne's Drive rather than Masham Road with the sensitive relocation of existing residents, in order to achieve development for which there is an identified need.

- 5.4 In 2010, North Yorkshire County Council commissioned an independent Housing Market Research report for the County, which highlighted a potential need for extra care housing. The County Council then undertook a mapping exercise, which indicated a need for Extra Care in Bedale.
- 5.5 The County Council then undertook a procurement procedure for providers to access NYCC's extra care framework. Six providers were successfully appointed onto the framework. An Invitation to Tender process then followed, requiring providers to bring land forward as part of their tender submission. The inclusion of and proof of land obtainability was an absolute requirement. Only two expressions of interest were received at the end of this process but during the following stage one of the bids was withdrawn as the land intended for that scheme became unavailable and the only viable scheme was that from Broadacres/Galliford Try.
- 5.6 As part of the tender submission a points based scoring system was applied to provide details of the distance in metres from the scheme to various local amenities including the health centre, public transport, ATM, local food store; pharmacy and library. The submission met the criteria. In September 2018 a report was presented to NYCC's Executive Committee to recommend approval to proceed with the extra care development in Bedale.
- 5.7 Following initial feedback from public consultation further exploration of alternative sites has been made but all considered sites are deemed unsuitable due to distance from town centre, lack of infrastructure including highway and general access issues.

#### Affordable and extra care housing

- 5.8 There is a 40% requirement for affordable housing in the Local Development Framework Allocation; the proposed scheme is for 59 units of extra care affordable rented housing, which is 100% of the provision.
- 5.9 The units would be occupied by qualifying individuals with a local connection. Thirty seven of the units would be two bedroom apartments for independent living; 14 would be one bedroom apartments for independent living and 8 would be one bedroom open plan apartments specifically designed for residents with complex health needs.
- 5.10 The County Councils preferred model of accommodation with care, is Extra Care housing, which is defined as housing that supports older people to live independently in their own home. Extra care developments provide purpose built apartments in a community setting, with access to on-site care and support services that can be tailored to the occupiers needs. The applicant in designing this scheme has made provision for additional facilities including communal areas and on site catering, a lift and access to a range of services on-site, including the provision of rooms to enable more specialist care to take place on-site in a location with an existing community and in close proximity to external services such as the health centre and shops.
- 5.11 A draft Section 106 agreement has been submitted.

#### Layout, design and impact on the character and appearance of the area

- 5.12 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'.

- 5.13 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.
- 5.14 The National Planning Policy Framework supports this approach and, at paragraph 130, 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.
- 5.15 The application site is currently open and undeveloped with several protected trees. The land has not been maintained and is overgrown giving it a character of neglect. The site is allocated for housing and therefore it is accepted that the character will change.
- 5.16 Existing development in the surrounding area is all residential and is a mix of two storey housing, elderly person's bungalows and larger detached two storey dwellings within larger plots. The proposed development would be significantly different in character as it would constitute the construction of a single building rather than a group of smaller buildings, and resulting in a much higher density of development. This form and character would not reflect the character of the surrounding area, and would therefore be contrary to LDF Policy CP17
- 5.17 Information has been submitted with the application to illustrate the relationship with the existing developments to all sides. Albeit a single structure it is comprised of different elements, some of which are three storeys in height, but all the development around the perimeter is restricted to two storeys. The ground levels of the building would be the same throughout the site and the scheme proposes to set the building at a lower level than the land to the north. The building would be set at a higher level than existing development to the south.
- 5.18 The proposed building would be a single structure, with its scale and massing at odds with the surrounding locality. The building would not be viewed in its entirety, due to its position in close proximity to existing development and therefore its effect in relation to other buildings and spaces, would not be as a single overwhelming entity. Any longer range views of the perimeter elevations would be of two storey structures at a finished floor level that reflects the sloping ground of the surroundings and the three storey elements if visible would not be seen as full elevations but as part of the roofscape of the town, which is not uniform and is characterised by varying building heights. Should the building be visible from longer range views the walls and roofs would be viewed in the context of existing residential development within the town. There would however be no gaps or spacing as is found within the existing development in the locality.
- 5.19 The elevations of the building have been designed to reflect a streetscene of terraced buildings that is common within the town; individual but connected. It is important to instil local distinctiveness into the design as required by development policies, and taller structures contribute to the varied roofscape. Bedale Grange is an existing example which is located close to the application site, of how buildings can vary in height. Although a much smaller building in terms of its footprint, than the proposal, it lies at a higher ground level than the surrounding buildings and is a prominent feature in the streetscene. It contributes to the varied roofscape of the town without unduly detracting from the character and appearance of the locality. The three storey element of the proposed building reflects the varied roofscape whilst keeping its distance from the boundaries where it would have an over-bearing and dominant impact.
- 5.20 The proposed two storey element would be taller than many of the surrounding two storey dwellings but the ground levels would be dropped so that the ridge heights of

existing and proposed would be similar when compared to the properties on Queen Anne's Drive.

- 5.21 The three storey element, visible from the internal courtyard area and from private properties to the south, is a more institutionalised elevation in appearance. This would not however be clearly visible from public viewpoints outside the site.
- 5.22 The proposed design of the building and the use of brickwork and render is considered appropriate for the locality.
- 5.23 The proposed building has been designed to address the functional requirements of an extra care facility and, as a result, does not reflect the context of the surrounding area. The resultant development would not therefore complement its surroundings but would introduce an incoherent element into the mix of development types in the immediate locality. This adverse impact must be balanced against the need for such a development in this location. The position of the building close to existing services and within the heart of an existing community must be given considerable weight in the determination of the application.

#### Impact on neighbour amenity

- 5.24 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.
- 5.25 The proposed development is a large scale structure in relatively close proximity to existing residents who currently enjoy an undeveloped aspect across the application site. The built development would clearly change the outlook for the residents with the removal of the trees and the construction of a large building.
- 5.26 Residential neighbours to the north on Queen Anne's Drive, with side elevations facing the site would be a minimum of 12m away, measured building-to-building, and more than 21m away when measured from the three storey element. The side gable of the existing bungalow at 80 Queen Anne's Drive would lie 12.3m from the side blank gable elevation of the proposed building. Other properties within Queen Anne's Drive lie at a much greater distance from the application site. The greatest potential for impact would be the proximity of the proposed building in relation to neighbouring gardens within Queen Anne's Drive but as the proposed building would be set at a lower ground level this would not have such an imposing and dominant effect.
- 5.27 The existing dwellings to the south of the application site would be at a lower ground level than the proposed building with the potential for being overlooked and overshadowed. The dwellings at Four Winds, Mulberry House and 16 Pinewood Grove are set in positions so that part of their rear outlook faces onto the application site. A distance of 14m lies between the side elevation of 16 Pinewood Grove and a blank gable of the proposed building, whilst a distance of approximately 25m lies between the rear elevation of Mulberry House and the proposed building. The dwelling at Four Winds lies approximately 12m from the closest part of the proposed building. The boundary between the two sites is formed by a 5m tall leylandii hedge and without such a tall boundary the relationship would not be acceptable with overlooking from first floor windows into ground floor windows and a currently private garden area, from close quarters.
- 5.28 The retention of this hedge or other suitable boundary treatment and landscaping would be essential in this situation to address the impact on amenity as a result of overlooking and overshadowing.



- 5.29 Solar shading diagrams demonstrate that the replacement of trees with the proposed building would not result in significant increased overshadowing of adjacent properties.
- 5.30 In conclusion, whilst the proposed development would change the outlook from some nearby dwellings, the proposed separation distances between the development and adjacent dwellings are considered to result in no significant harmful impact on residential amenity from the development.
- 5.31 The internal layout of the scheme is considered to allow for sufficient amenity space and separation distances for the development itself.

#### Trees and ecology

- 5.32 Policy DP31 of the Development Policies DPD states that "Permission will not be granted for development which would cause significant harm to sites and habitats of nature conservation...Support will be given...to the enhancement and increase in the number of sites and habitats of nature conservation value". The site however is allocated within the LDF for housing and therefore the principle of development, which is likely to have required the removal of trees positioned centrally within the site and the consequent effect on wildlife, has already been accepted. It is important however to assess the possibility of mitigation or compensation.
- 5.33 The applicant has submitted an ecological appraisal and a detailed arboricultural assessment in order to assess the impact of the proposed development on wildlife and on the trees and hedges within the site.
- 5.34 The ecological appraisal concludes that the site is not of high value in respect of its habitat but of moderate suitability for foraging; there are likely to be bat roosts nearby and the site clearly provides value for wildlife such as garden birds and hedgehogs. Mitigation and compensatory measures are recommended.
- 5.35 A total of 17 individual trees were identified within the site; 9 groups of trees; and 5 hedges of which 13 trees; 7 groups of trees and 28.6m of hedgerow would need to be removed. One Category A (high quality) tree, a sycamore, has been identified on the southern boundary of the site. This tree would be retained. The protected trees within the site comprise mostly of sycamores.
- 5.36 The report concludes that there is limited opportunity for replanting trees due to the size of the site but that planting should be undertaken to partially compensate. Tree protection for the remaining trees is recommended. A landscaping scheme has been submitted to illustrate the trees that are to be retained on the site's perimeter, which proposes to undertake additional tree planting and other landscaping, particularly along the southern part of the site and within the proposed courtyard.
- 5.37 The loss of so much of the protected areas of trees is contrary to LDF Policies CP16 and DP31 as the necessary large scale of the building requires the wholesale removal of all the vegetation apart from a small amount on the boundaries of the site. This loss must be weighed against the need for the development in this location as detailed within paragraph 5.23 above.

#### Community Engagement

- 5.38 Public consultation should be a genuinely meaningful exercise and must be guided by the Council's Statement of Community Involvement and paragraph 128 of the NPPF.
- 5.39 Paragraph 128 of the NPPF sets an expectation that developers should work closely with those affected by their proposals to evolve designs that take account of the views

of the community. This is reflected in the Council's Statement of Community Involvement (SCI), which requires that communities are offered genuine choice and a real opportunity to influence proposals in consultation exercises. The NPPF states that proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

5.40 Public consultation events have taken place at the Bedale Leisure Centre on Firby Road in November 2018 and again in September 2019 at the local Methodist Church. The main issues raised through the consultation are summarised below:

- Access from Queen Anne's Drive
- Scale and massing of the three storey building
- Congestion on Firby Road and 5 lane ends
- Proposed building not in keeping with the character of Bedale
- Overlooking
- Ground level changes
- Parking

5.41 Following the first consultation event the proposed development scheme was amended and the second event held; no new issues were raised. Concerns remained regarding highways issues, access into the site and the three storey nature of the development.

#### Highway safety

5.42 The applicants have submitted a Transport Assessment, which concludes that additional traffic generated as a result of the proposed development would be insignificant in respect of its impact on the existing congestion associated with the Firby Road area. This is one of the greatest issues of concern from the Town Council and local residents relating to the proposed development. Firby Road is accessed at 'Five Lane Ends' and serves the doctors surgery, the Bedale Church of England Primary School, Bedale High School, the leisure centre, the football club, several housing areas and is the route to Firby itself.

5.43 Consideration has been given to the local highway network, accident statistics, sustainable transport, likely traffic movements as a result of the proposed development, and the impact of the development on the local highway network. The scheme includes a total of 35 car parking spaces, which the Assessment states is in excess of the County Council's Parking Standards.

5.44 The NYCC Highways Authority has confirmed no objections to the proposed development subject to the imposition of conditions.

5.45 Owing to the level of concern locally with regard to the potential highways implications of the development the Planning Authority commissioned a third party assessment by Fore Consulting, to assess the use of local junctions, the local network, design and layout of the proposed access and car parking provision.

5.46 This assessment has concluded that the local junctions and highway network are sufficient to allow the proposals to go ahead without detriment to road safety. Further to this, Fore Consulting consider that the parking provision now proposed on site is in excess of the need for parking on this site, which significantly reduces the likelihood of any increase in on-street parking in the vicinity of the application site.

5.47 In conclusion, it is considered that the proposed development will provide sufficient parking and will have no significant impact on road safety in the vicinity of the application site.

### Drainage Infrastructure

- 5.48 It is proposed to drain foul sewage into the existing mains but Yorkshire Water requires the developer to follow the surface water disposal hierarchy as a means of sustainable development. An appropriate condition is recommended to this effect. A detention basin is proposed within the courtyard area, to allow surface water retention during periods of heavy rainfall.

### Planning Balance

- 5.49 The application site is allocated for housing and as such the principle of development is accepted. The loss of trees along with the overall scale of the built form proposed result in harmful impacts that weigh against the proposed development. However, in the absence of significant harm in terms of road safety or residential amenity the benefits of the scheme in terms of the provision of much needed, affordable, extra care accommodation are considered to weigh heavily in favour of the proposed development. These matters, along with the economic and wider social benefits of the proposal lead to the recommendation for approval.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations the application is **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
3. No part of the development shall be used after the end of the first planting and seeding seasons following the first occupation or completion of the building whichever is the sooner, unless the landscaping scheme shown on the landscaping plan (Drawing number 127628/8001A) received by Hambleton District Council on 12 December 2019 has been carried out. Any trees or plants which within a period of 5 years of planting die, are removed or become seriously damaged or diseased, shall be replaced with others of similar size and species.
4. The development hereby approved shall not be undertaken except in full accordance with the Arboricultural Method Statement and Tree Protection details produced by The Environment Partnership and received by Hambleton District Council on 7 October 2019. The development shall thereafter be carried only in accordance with the agreed details and scheme, unless otherwise agreed in writing by the Local Planning Authority.
5. The package of mitigation measures as detailed within the Ecological Appraisal produced by E3 Ecology Ltd, received by Hambleton District Council on 7 October 2019 shall be carried out in full unless otherwise agreed in writing by the Local Planning Authority.

6. Prior to construction of any building or regrading of land commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form. These details are required prior to construction or regrading because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

7. Prior to first occupation or use, the approved remediation scheme (as presented in the Remediation Strategy by 3e Consulting Engineers, dated 11/02/2019) must be carried out in accordance with its terms and a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

10. No external lighting shall be installed other than in complete accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed in accordance with the approved scheme.

11. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0800 hours and 1800 hours Monday to Friday, 0800 hours to 1300 hours Saturday and there shall be no such work on Sunday or on any public holidays.

12. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation

have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.

13. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

a. The crossing of the highway footway shall be constructed in accordance with the approved details shown on drawing 10779-002 'Proposed Access' and Standard Detail number A1.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

14. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided in accordance with referenced drawing: 10779-002 Rev C. The eye height will be 1.05 and the object height shall be 0.60m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

15. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until: (i) The details of the following off site required highway improvement works, works listed below have been submitted to and approved in writing by the Local Planning Authority:

a. Provision of tactile paving

b. Relocation of existing lighting column in agreement with NYCC Road Lighting Team.

A programme for the completion of the proposed works shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

16. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (ECB-PHS-XX-XX-DR-A-90-202 Rev P11 ) and are available for use unless otherwise approved in writing by the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

17. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:

a. the parking of vehicles of site operatives and visitors

b. loading and unloading of plant and materials

c. storage of plant and materials used in constructing the development

d. wheel washing facilities

e. measures to control the emission of dust and dirt during construction.

18. The permission hereby granted shall not be undertaken other than in complete accordance with the following drawings numbered:

ECB PHS XX XX DR A 90 200 S2 Revision P2 (Location Plan)  
ECB PHS XX XX DR A 90 202 S2 Revision P11 (Proposed Site Plan)  
ECB PHS XX XX DR A 90 203 S2 Revision P10 (Ground Floor Plan Wider Context)  
ECB PHS XX XX DR A 90 205 S2 Revision P1 (Bin store/bike store etc)  
ECB PHS XX XX DR A 20 240 S2 Revision P4 (GA Elevations)  
ECB PHS XX 00 DR A 21 200 S02 Revision P02 (GA Sections)  
ECB PHS XX 00 DR A 22 240 S2 Revision P2 (Ground Floor Plan)  
ECB PHS XX 01 DR A 22 241 S2 Revision P1 (First Floor Plan)  
ECB PHS XX 02 DR A 22 242 S2 Revision P3 (Second Floor Plan)  
ECB PHS XX RF DR A 22 243 S2 Revision P3 (Roof Plan)  
C993899 (Substation)  
received by Hambleton District Council on 7 October and 5 December 2019  
unless otherwise approved in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
3. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with LDF Policies CP16 and DP31.
4. In the interests of the protection of trees, in accordance with Local Development Framework Policy CP16 and DP31.
5. To minimise the harm to local ecology in accordance with LDF Policies CP16 and DP31.
6. To ensure that the development is appropriate to environment in terms of amenity and drainage in accordance with LDF Policies.
7. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with LDF Policies.
8. In the interest of satisfactory and sustainable drainage in accordance with LDF Policies.
9. To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage in accordance with LDF Policies.
10. In order to protect the amenity of local residents and the surrounding locality in accordance with LDF Policies CP16 and DP1.
11. In order to protect the amenities of residential property in the locality in accordance with LDF Policies CP1 and DP1.

12. In the interests of highway safety in accordance with LDF Policies CP2 and DP4.

13. To ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience in accordance with LDF Policies CP2 and DP4.

14. In accordance with LDF Policies CP2 and DP4 and in the interests of road safety.

15. To ensure that the details are satisfactory in the interests of the safety and convenience of highway users in accordance with LDF Policies CP2 and DP4.

16. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4.

17. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area in accordance with LDF Policies CP2 and DP4.

18. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies.