

Parish: Ingleby Arncliffe
Ward: Osmotherley & Swainby

Committee Date: 07 April 2022
Officer dealing: Mr P Jones
Target Date: 08 September 2020

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20/01189/FUL

Demolition of former Primary School and residential development comprising 18 dwellings with associated landscaping

At: Ingleby Arncliffe Church of England VC Primary School Ingleby Arncliffe

For: Beyond Housing

This application is presented to Planning Committee following a change in adopted Planning Policy through the adoption of the Ingleby Arncliffe Neighbourhood Plan.

1.0 Site, Context and Development

- 1.1 The application was considered by the Planning Panel on 09 November 2020 and was subsequently reported to Planning Committee in January following adoption of the Neighbourhood Plan. It had been anticipated at that time, that the S106 agreement would be signed shortly after the Committee resolution. However, this has not been the case and in the interim the new Local Plan has been adopted on the 22 February 2022 and as such along with the Neighbourhood Plan forms the Development Plan for this site. On this basis the matter is returned to Members to allow consideration of the proposed development against the Local Plan.
- 1.2 The site lies at the north-western side of Ingleby Arncliffe and runs perpendicular to the main road and is generally a long rectangular shape. The site is comprised of the now redundant primary school and recreation land owned by the County Council, the site projects out into open countryside on the edge of the village.
- 1.3 The Southern part of the site, up to and including the physical parameters of the school, is within the settlement boundary for Ingleby Arncliffe, the northern section is outside of the settlement boundary but immediately adjoining and is land owned by the County Council.
- 1.4 Ingleby Arncliffe is predominantly residential in character with buildings of various architectural forms, with extensive use of brick, stone and render. The form of the village on this side of the street is generally linear although there are examples of more in-depth development.
- 1.5 The school was constructed in 1972 and operated until its closure in December 2017. The site has remained unoccupied since its closure. The existing building consists of a reasonably sized single storey structure separated from the main highway by a surfaced play area.
- 1.6 There are 9 trees to the front of the site which are covered by a Tree Preservation order.

- 1.7 The application is for full planning permission. The application is for 18 dwellings as follows: 4 no. 1 bed 2 person houses; 6 no. 2 bed 4 person houses; 6 no. 2 bed 3 person bungalows; 2 no. 3 bed 5 person houses. All dwellings are confirmed to meet or exceed the Nationally described Space Standards.
- 1.8 The dwellings would be in a linear arrangement following the village development pattern of lanes perpendicular to the High Street. There would be four quarter houses to the frontage creating massing complementing neighbouring dwellings fronting High Street. The layout includes terracing which have been designed to be evocative of agricultural workers cottages and bungalows arranged as a court to encourage community formation.
- 1.9 Further to the submitted Affordable Housing Statement, the applicant confirms that funding for affordable dwellings is now being provided by both Homes England and Hambleton District Council, and that the number of affordable dwellings has increased to 11 of the 18 dwellings with 3 of the previously outright sale now to be rent-to-buy.
- 1.10 The breakdown of tenure, to be secured by way of a Section 106 Legal Agreement is:

Affordable Rent x 5 units;
Shared Ownership x 3 units;
Outright Sales x 7 units;
Rent to Buy x 3 units.
- 1.11 The Agent has submitted amended plans to mitigate issues regarding layout and landscaping by the case officers and included in the changes are improvements as explained by the Agent:
- 1.12 "Please see the attached site plan on which we've introduced two small flowering crab trees within this area. We add that the appearance should be mitigated by the green space between Plots 16 and 17 which provides breathing space and frames a rural view beyond. While each plot has two parking spaces, it's envisaged that bungalow residents are unlikely to own two cars and that the second space will be for occasional use by visitors / carers, i.e. we might expect 50% car space occupancy as a norm."

2.0 Relevant Planning History

- 2.1 Application for removal of planning condition no.11 for previously approved 19/01448/OUT dated 13 January 2020 for the demolition of the existing school and development of 4 dwellings Ingleby Arncliffe Church Of England VC Primary School Ingleby Arncliffe North Yorkshire DL6 3NA

Application for removal of planning condition no.14 for previously approved 19/01448/OUT dated 13 January 2020 for the demolition of the existing school and development of 4 dwellings Open for comment icon
Ingleby Arncliffe Church Of England VC Primary School Ingleby Arncliffe North Yorkshire DL6 3NA

Ref. No: 20/00665/MRC | Received: Tue 31 Mar 2020 | Validated: Fri 01 May 2020 | Status: Allowed

Outline application (some matters reserved) for the demolition of existing school and construction of four dwellings and access as amended by email received by Hambleton District Council on the 26 November 2019
Ingleby Arncliffe Church Of England VC Primary School Ingleby Arncliffe North Yorkshire DL6 3NA

Ref. No: 19/01448/OUT | Received: Wed 03 Jul 2019 | Validated: Wed 24 Jul 2019 | Status: Decided (Granted)

75/1535/FUL - Erection of timber storage shed – Granted

97/50740/P - Extension to existing school – Granted

02/00560/FUL - Classroom extension to existing school as amended by plan as received by Hambleton District Council on 9th May 2002 – Granted

07/01362/FUL - Change of use of land from agricultural to play area – Granted

08/02176/FUL - Revised application for a change of use of land from agricultural to public open space – Granted

09/01592/FUL - Alterations and extension to existing school and formation of a new play area – Granted

3.0 Relevant Planning Policies

3.1 The relevant policies are:

Ingleby Arncliffe Neighbourhood Plan (Made 14th December 2021)
Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015
Local Plan Policy S1: Sustainable Development Principles
Local Plan Policy S2: Strategic Priorities and Requirements
Local Plan Policy S3: Spatial Distribution
Local Plan Policy S4: Neighbourhood Planning
Local Plan Policy S5: Development in the Countryside
Local Plan Policy HG1: Housing Delivery
Local Plan Policy HG2: Delivering the Right Type of Homes
Local Plan Policy HG3: Affordable Housing Requirements
Local Plan Policy HG5: Windfall Housing Development
Local Plan Policy E1: Design

Local Plan Policy E2: Amenity
Local Plan Policy E3: The Natural Environment
Local Plan Policy E4: Green Infrastructure
Local Plan Policy E7: Hambleton's Landscapes
Local Plan Policy IC2: Transport and Accessibility
Local Plan Policy IC3: Open Space, Sport and Recreation
Local Plan Policy RM1: Water Quality, Supply and Foul Drainage
Local Plan Policy RM2: Flood Risk
Local Plan Policy RM3: Surface Water and Drainage Management
Local Plan Policy RM4: Air Quality
National Planning Policy Framework

4.0 Consultations

- 4.1 Parish Council – Ingleby Arncliffe Parish Council supports the provision of local housing for its Parish residents and to that end, fully supports Beyond Housing planning application.

The numbers, sizes and tenures of the proposed housing as set out in Beyond Housing's application were established from the Parish's 2016 Housing Needs Survey (Copy enclosed). The survey achieved a 70% response level from our Parish Residents. The Survey was conducted, and the results compiled with the assistance of Ms. A. Madden, the Rural Housing Enabler Officer. The pre-submission Neighbourhood Plan (copy enclosed) includes the same housing needs and following the steering group extensive search for sites, the former school site along with its associated playing field offer the only sites available for new housing within the Parish for the foreseeable future.

The Parish Council have further commented:

"There are only 6 Objections and from 4 households;

- a. 2002825 is a duplicate of 2002827, if you could please ask your colleagues to correct the duplication.
- b. The 6 objections do vary in the extent and scope of their objections, but 4 are from two families, with one of those families having been in the village for quite a short period.

I hasten to add, they are quite entitled to their views irrespective of how long they have been in the Parish. However the supporters covers far more families, with many resided in the Parish for years."

- 4.2 North Yorkshire County Council Highway Authority – I refer to the above application and whilst there are no objections in principle from the Highways Authority. There is a concern in relation to the arrangements at the access. Normally we require a 2.4m by 43m visibility splay as defined in Manual for Streets where the road outside the site has a speed limit of 30mph. As the access is set back it is unclear how these visibility splays will be provided and if there are visitors spaces to the front of the development then any vehicles parked here will block visibility of vehicles

approaching from the west. From the information available to me it would appear that only the carriageway is public maintainable highway so the parking areas and area between the carriageway and boundary fence is private but outside of the site.

I would be obliged if you would ask the applicant's agent to address the above concerns so that adequate visibility is available at the access in both directions.

- 4.3 North Yorkshire Police – Detailed comments on crime prevention.
- 4.4 Hambleton District Council Environmental Health – I have assessed both the Phase 1 and Phase 2 Geo-Environmental site assessment reports submitted in support of the above development. The reports have not identified any potential sources of contamination and therefore the risk of contamination affecting the development or end users is considered to be low. Therefore, the Environmental Health Service has no objections to this proposal.
- 4.5 Natural England – No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 4.6 Northumbrian Water – Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make
- 4.7 North Yorkshire CC Public Rights of Way – Detailed comments regarding adjacent footpath.
- 4.8 Hambleton District Council Street Naming and Numbering Comments: Yes an application would be required
- 4.9 Teesside Airport - Having reviewed the above referenced planning application, I can inform you that Teesside International Airport has no objection to the proposal in its current form. Should any change, amendment or further application for approval be submitted, we require that we be further consulted so that we may review our position.
- 4.10 The Ramblers Association – No objections.
- 4.11 Yorkshire Wildlife Trust - I note that in the original report the building was assessed as having moderate to high roosting potential for bats and that three emergence/re entry visits were proposed. In this report the building is described as moderate potential and two surveys have been carried out. I recognise that bat surveys often take an iterative approach and that with no emergences following a dawn visit in May and a dusk visit, there is valid justification for not undertaking a further survey, which should be stated within the report. However, downgrading the potential of a building is not good practice and if there is a valid justification for doing this e.g. on the basis of new information/ observations, it should be clearly documented. Notwithstanding this, the conclusions of the report following the emergence/re-entry seem reasonable and the mitigation and enhancement proposed is appropriate.

4.12 Public comment – Support - 25 letters of support have been received which are summarised as follows:

- I would like to register my support for this proposal. Our village has spent many years working carefully and collaboratively to produce our neighbourhood plan to meet the needs of the village going forwards into the future. This mixed development is wholly in keeping with that plan.
- We are in favour of the proposed housing development on the school site in Ingleby Arncliffe. We support the provision of affordable and smaller houses to help attract young families to the village and this also gives older residents the opportunity to downsize.
- I support this application because it fulfils an urgent need for an appropriate mix of new housing for our village. It is fully in line with the requirements identified in the Neighbourhood Plan for the village, which is nearing completion, and has been shown to be widely supported in our community
- This is the only possible development in the near future that will provide the village with the housing, including affordable housing, which the village has stated that it needs. This has been demonstrated by 4 surveys carried out over the last 9 years, in conjunction with the HDC Rural Housing Enabler. It complies with the Neighbourhood Plan, developed over several years and now ready for submission to HDC, that has been supported by a majority of the village each time that it has been put to them.
- I would like to register my support for this application. The proposals are in line with the outcomes of the extensive needs survey conducted by the parish council and thus with the development requirements of our neighbourhood plan.
- I would like to support this application, having lived in Ingleby for nearly 50 years, I am very aware of the imbalance. There have been many houses built but none that are affordable. This has forced young and old to leave Ingleby to find suitable accommodation. Unlike nearly every other village in the area, we have had neither Council houses, Bungalows or Low Cost Housing, this is the perfect opportunity to right this historic wrong and rebalance the Demographics of our village. I can not say strongly enough that this type of housing is needed in Ingleby for it not to become just another dormitory village.
- The mix of affordable and market priced properties should enable local people access to appropriate accommodation at the time it is needed both now and in the future. Developments in earlier decades appear to have missed such opportunity and it would be tragic for the community if this site is used for yet another high cost group of properties. Large expensive homes are readily available (see those being marketed for sale July 2020). We need to ensure that our older neighbours can stay in the village as they become less able to manage larger houses and that there are entry price homes for young families with roots in the village.

Objections:

- 7 letters of objection have been received which are summarised as follow:
- I object to this application because of over development of site and also the main street is not suitable for extra traffic i.e. no footpaths.

- The proposed plot is too small for 18 houses - it will be impossible to maintain the rural countryside village identity and to fit in with the current character of the village. The type of housing proposed would be more fitting for the outskirts of a busy town such as Stokesley or Northallerton, rather than the rural nature of Ingleby Arncliffe. As the demand for the houses appear to come from the villagers, there seems to be little legislation in place to ensure that those interested parties with community ties will have first refusal of all properties. We encourage the original idea from the community and understand the wish for people to give their family a chance to continue living in our village, however unfortunately this proposal seems to give more benefit to the building company. It sadly appears to be yet again one of the low-cost-max-profit developments, rather than a development with any of the original intended benefits to the village.
- I was born and raised in this village since 1962, one of the strengths of the village is it has remained a charming environment to live without overcrowding and too many cars. Whilst I am not against housing in the village the sheer number of the houses proposed is prosperous, the volume of traffic that 18 houses will create will cause many issues not only with the possibility of each house having two cars but also visiting family/friends but also food delivery services etc. There are no footpaths available in the village so once again the footfall will increase around the village. My main objection, however is the front houses which are in no way in keeping with the houses in the village as has been suggested, Ingleby Barwick, Yes!!certainly not Ingleby Arncliffe. There is a row of terrace houses on the opposite side of the road which if built in the style of country properties would be far more suitable and most definitely no more than 8 properties on the site. The Grain store opposite the Blue Bell would have been a more suitable development area due to the access straight onto roads out of the village without the need to go through.
- Whilst I agree that perhaps affordable/smaller dwellings houses are required in the village for residents that wish to remain here without the upkeep of large houses and gardens, the amount of houses is far too many, 18 houses with two car parking spaces each will mean that the middle part of the Ingleby Arncliffe will become very busy. We already have issues with speeding with I guarantee will only get worse. The style of the proposed houses are very poor and modern not in keeping with village architecture. Osmotherley did manage to build affordable houses very much in the style of country homes and that should have been the template for this village. I also believe that are more suitable, less crowded sites in Ingleby Cross.
- : I object to this application for a few reasons. My main concern is the number of houses on the site in respect to its location. Taking into consideration the size of the village overall, I feel that 18 properties is far too many for a new, single location. The width of the road, along with the usual number of vehicles parked in the street, would pose a hazard for pedestrians with the addition of the extra traffic. As a mother of young children, it concerns me how we could still continue to enjoy the main street (which has no footpaths) with this additional traffic accessing the site a few times per day. On another note, the style of housing is not at all in keeping with a quaint rural village. The large windows and balconies (glass?) are better suited to a town or even a block of flats. I strongly object to the appearance and size of the quarter house which will face the street. I don't think it is in keeping with the character of the village and should be a single,

modest size property. I would choose to return the site to a school. But for housing, I realise there is a need from the parish for smaller and affordable homes so I would support an application with fewer houses (perhaps 9 maximum) featuring a greater character and mix of styles mixed in with plenty of green space.

- We understand that there is the demand from the community for affordable housing in the village, however we have a few concerns regarding the current proposal: The proposed plot is too small for 18 houses - it will be impossible to maintain the rural countryside village identity and to fit in with the current character of the village. The type of housing proposed would be more fitting for the outskirts of a busy town such as Stokesley or Northallerton, rather than the rural nature of Ingleby Arncliffe. As the demand for the houses appear to come from the villagers, there seems to be little legislation in place to ensure that those interested parties with community ties will have first refusal of all properties. We encourage the original idea from the community and understand the wish for people to give their family a chance to continue living in our village, however unfortunately this proposal seems to give more benefit to the building company. It sadly appears to be yet again one of the low-cost-max-profit developments, rather than a development with any of the original intended benefits to the village. The proposed demolition of the school building seems to be such a shame, as this building would seemingly be easily upgraded and/or repurposed, especially with the recent government announcements of additional available funds for education. With the additional attraction of young families into the village, the choices of elementary schools seem very limited with Hutton Rudby oversubscribed and Osmotherley with far less attractive outside areas for children to enjoy their outdoor time than the site at Ingleby Arncliffe.
- Neutral – 1 letter received as follows:
 - 1) Would prefer house nos 5 and 6 to face towards the village street. 2) If the properties are to be heated by oil fired central heating where will the oil storage tanks be located. 3) Refuse bins for house nos.1 - 4 are a long way from the dwellings, they should be adjacent. 4) At present when vehicles need access to the village play area they use the public right of way to the gate into the playing field and then across to the gate from the play area . This will now not be possible due to the location of the SUDS., how will this now be achieved? 5) The concrete spurs for the new fence between the public right of way and the Beyond Housing site shall be within the line of the fence or on the Beyond Housing side as the existing path. Clearance must be maintained both for vehicle access to the Play Area and to allow us (St. John Garth) to move our caravan to its storage position which requires the caravan to be rotated on the path.

5.0 Analysis

5.1 The main issues to consider are:

- (i) the principle of new dwellings in this location;
- (ii) affordable housing
- (iii) an assessment of the likely impact of the proposed dwelling on the character and appearance of the village and the rural landscape;

- (iv) the layout, scale and appearance of the dwelling;
- (v) neighbour amenity;
- (vi) tree issues: and
- (vii) highway safety.

The principle of development

- 5.2 The site lies at the north-western side of Ingleby Arncliffe and runs perpendicular to the main road and is generally a long rectangular shape. The site is comprised of the now redundant primary school and recreation land owned by the County Council, the site projects out into open countryside on the edge of the village.
- 5.3 The now adopted Neighbourhood Plan forms part of the adopted Development Plan of the Council, along with the recently adopted Local Plan.
- 5.4 The main policy consideration now falls to the recently adopted Neighbourhood Plan. Policy P1 and P2 of the Neighbourhood Plan cover matters relating to Housing Mix and Affordable Housing.
- 5.5 Policy P1 states that: "Housing development that complies with other policies in the Neighbourhood Plan and in the Hambleton and North York Moors National Park Local Plans and provides a housing mix consistent with the most up-to-date housing market assessment and / or local needs survey will be supported. The provision of accessible housing and specialist accommodation for older people should be provided as part of the mix where feasible."
- 5.6 Policy P2 states that: Housing development that complies with other policies in the Neighbourhood Plan and in the Hambleton and North York Moors National Park Local Plans, and provides affordable housing consistent with the most up-to-date housing market assessment and / or local needs survey will be supported.
- 5.7 Whilst the proposals do not provide for specialist accommodation as sought by Policy P1, the mix does meet the wider community needs, including the provision of smaller, bungalows, allowing for downsizing for older members of the community.
- 5.8 Policy P4 of the Neighbourhood Plan sets out specific requirements for development in terms of design and states: "*Proposals for new development will be expected to be of a design that will create high quality buildings and places, and respect the scale, materials, layout and appearance of adjacent existing buildings in order to protect and enhance the character of Ingleby Arncliffe and Ingleby Cross. Development will be expected to deliver the best in environmental standards in order to reduce energy consumption and promote energy efficiency. Support will be given in principle to development proposals that exceed minimum standards for reducing energy consumption and energy efficiency. Development will be expected to demonstrate how the design has been influenced by the need to plan positively to reduce crime and the fear of crime and how this can be achieved. Development should retain and seek to enhance the parish's local ecology, biodiversity, wildlife, and landscape. The needs of disabled and older residents should be considered and, where feasible, new homes should be capable of adaptation for people through the different stages of life or to take account of mobility needs. Provision must be made to provide off-road parking commensurate with the size of*

property or nature of development in order to minimise on-road obstruction and discourage on-street parking.”

- 5.9 It is considered that the proposals comply with the overarching design principles set out in policy P4.
- 5.10 In summary, it is considered that the policy requirements of the Neighbourhood Plan.
- 5.11 It is noted that the proposed development comprises of 11 affordable dwellings out of the 18 proposed which is considered to hold significant weight and can be considered a determining factor when considering the acceptability of the proposal in principle having regard to its partial siting outside of the development limit.
- 5.12 A Mixed tenure residential development for local needs housing meets the Neighbourhood Development Plan for 2018-2035 prepared by the Ingleby Arncliffe Neighbourhood Development Plan Steering Group on behalf of Ingleby Arncliffe Parish Council. This is confirmed by the representation made by the Parish Council.
- 5.13 Given the level of compliance with the Neighbourhood Plan, it is not considered necessary to test the proposals against policy S3 or HG5 of the Local Plan.
- 5.14 The loss of the school must be considered in terms of the provision of local services which are protected by Policy IC4, which states:

“A proposal that would result in the loss of premises or land currently or last in community use will not be supported unless it can be demonstrated that:

 - a. prior to the commencement of development a satisfactory replacement facility will be provided in a suitably accessible location for the catchment area or the community served;
 - b. the existing use is no longer financially or operationally viable and there is no reasonable prospect of securing a viable satisfactory alternative community use;
 - c. the continued use of the site for community purposes would conflict with other planning policies; or
 - d. the loss of the community facility is integral to a strategic proposal to improve community services within the locality.
- 5.16 It is understood that alternative school facilities have been provided and that there is no demonstrable need for the school in this location. It is also understood that alternative community uses for the building have been explored, but that the building was found to not be financially viable for re-use owing, in part, to its poor condition.
- 5.17 In summary it is considered that the location is acceptable in principle, subject to other material considerations, given that the proposal puts forward 11 affordable houses and 7 market dwellings and the loss of the community use is acceptable in this instance, along with the degree of compliance with the adopted Neighbourhood Plan.

Affordable Housing

- 5.18 The key Local Plan policy is Policy HG3 – ‘Affordable housing’. The policy states that:

The Council will seek to maximise the delivery of affordable housing across the plan area in order to meet identified requirements.

On all developments for new market housing, including mixed-use schemes, conversions and housing development that forms part of a wider development, the Council will seek the provision of 30% affordable housing unless the proposal is for:

- a. 9 units or fewer, or has a combined gross floorspace of no more than 1,000m (gross internal area); or
 - b. 4 units or fewer and is located within a parish defined as a designated rural area.
- In all cases where affordable housing is provided it will be expected to:
- c. provide a mix of tenures, subject to identified need, consisting of one third each of:
 - i. affordable rented;
 - ii. social rented; and
 - iii. intermediate dwellings (shared ownership) or other types of affordable home ownership;
 - d. be dispersed in small clusters across development sites;
 - e. be externally indistinguishable in terms of design and materials from any market housing on the site; and
 - f. be transferred at transfer price.

Planning permission will be refused for proposals where it appears that a larger site has been sub-divided into smaller parcels in order to avoid developer contributions for affordable housing.

- 5.19 The proposals include 11 affordable units within the 18 dwellings proposed, this is in excess of the policy requirement and entirely policy compliant and is considered to be a form of development which will make a positive contribution to the provision of affordable housing in the district and that this is a material consideration of considerable weight.
- 5.20 The affordable housing is to be secured by way of a Section 106 Legal Agreement which will ensure the affordable dwellings will remain as affordable units in perpetuity and will be allocated in line with the Local Letting Policy as set out in the recommendation at the end of this report, this is agreed with the developer as the correct and appropriate mechanism to ensure this element is delivered.

Character and Appearance of the Village and the Rural Landscape

- 5.21 Part of the application site lies beyond the established built up part of the village and forms part of a larger field beyond the built up boundary of the village.
- 5.22 Policy E7 seeks to protect the character and distinctiveness of the landscapes of Hambleton and states that:

A proposal will be supported where it:

- a. takes into consideration the degree of openness and special characteristics of Hambleton's landscapes;
- b. conserves and, where possible, enhances any natural or historic landscape features that are identified as contributing to the character of the local area;
- c. conserves and, where possible, enhances rural areas which are notable for their remoteness, tranquillity or dark skies;
- d. takes account of areas that have been identified as being particularly sensitive to/or suitable for certain forms of development;
- e. protects the landscape setting of individual settlements and helps to maintain their distinct character and separate identity by preventing coalescence with other settlements; and
- f. is supported by an independent landscape assessment where the proposal is likely to have a detrimental impact on the landscape.

Townscape

The Council will protect and enhance the distinctive character and townscapes of settlements in the district. This will be achieved by ensuring that development is appropriate to, and integrates with, the character and townscape of the surrounding area.

Trees, Hedgerows and Woodland

A proposal will be supported where it seeks to conserve and enhance any existing tree, hedge or woodland of value that would be affected by the proposed development.

Should a development, including infrastructure provision, result in the loss, threat or damage to any tree, woodland or hedge of visual, heritage or nature conservation value this would only be acceptable where:

- g. a replanting scheme is agreed and this would include new native trees to form part of landscaping and improve tree canopy, the form of which will be determined by negotiation;
- h. for larger developments it would include a sustainable tree management programme in order to ensure any new trees, hedgerows or woodland are established;
- i. any new species should provide local distinctiveness within the landscape, and support biodiversity;
- j. any tree planting is the appropriate type of tree for the location, including distance to buildings considering root spread; and
- k. any loss or deterioration of irreplaceable habitats such as ancient woodland and/or veteran trees is justified by wholly exceptional reasons and a suitable compensation strategy is agreed.

The application site is partly previously developed and is adjacent to and opposite established residential development, which does lie within the development form. However, it is considered that the development as proposed would be acceptable. It would be of a very high-quality design and while quite prominent, would not have an adverse impact on the character of the rural landscape. The site has more in common with the adjacent built form of the village than it does with the open countryside.

- 5.23 The proposed development would protrude into open countryside but it is not considered that the development proposed would result in the loss of rural landscape and would the proposed development would be considered to respect the general built form of the village. The proposed development would not have a harmful impact on the natural, built and historic environment.

Layout, Scale and Appearance

- 5.24 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."
- 5.25 Policy E1 requires 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.
- 5.26 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.
- 5.27 The proposals are of very high quality design, of contemporary styled two storey and single storey dwellings that officers consider to be consistent with the sites context, of that reflects the character of the style of the older and more established properties in the village while giving a clean and modern design style.
- 5.28 The proposed dwellings are well-proportioned and in keeping with the scale and plot sizes. The design is of high quality and are acceptable in this location where the context is appropriate. The development in this location relates well to its surroundings and the local context, which is rural landscape set beyond the natural edge of the village and would therefore be compliant with Policy E1.

Residential Amenity

- 5.29 Policy E2 requires all development to adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight. The closest neighbours to the proposed dwelling would be the existing properties to the north, south and opposite.
- 5.30 It is considered that there is entirely adequate space, and landscaping, available that would protect the existing outlook whilst providing adequate amenity space for the proposed residents. There would be adequate separation between the properties to protect the amenity of both sets of residents and prevent an unacceptable loss of privacy.
- 5.31 There is a significant difference in the size of the various gardens across the development but this is considered acceptable and justified.

The Agent has advised that:

"Based on previous schemes for Housing Associations, our view is that a range of bungalows garden sizes is of benefit in providing choice for older persons, i.e. some with larger gardens for residents wanting to grow vegetables and also accommodating residents who prefer small gardens for low maintenance."

In relation to the amenity space around the 'quarter houses' the Agent advises that:

"The design intent is that the area around the quarter houses offers communal amenity space available for use by the residents of the quarter houses and is demarcated by a knee rail."

And regarding plots 13 and 14:

"Please see the attached site plan on which we've amended the boundary between Plots 13 and 14, enlarging the garden of Plot 13."

- 5.32 It is considered that the amenity of the existing established properties in the village and the future residents of the new dwellings would be carefully protected by these very well thought out proposals and that the requirements of LDF Policy E2 would be achieved by the proposed development.

Trees and Ecology

- 5.33 An Arboriculture report has been submitted with application which assesses the issue of the trees on site which are covered by a Tree Preservation Order.

The tree coverage to the front of the existing site forms a generally soft visual appearance upon entry to the site.

The proposed development proposes the removal of 1 Sycamore Tree to the front of the site which is subject to a Tree Preservation Order. This is in order to facilitate the provision of the access. All other protected trees on site will be retained and largely incorporated within the proposed public open space. It should be noted that this tree has already been accepted as being removed by the LPA under the previous planning approval on the site.

- 5.34 It is considered that the removal of the tree would not result in a harmful impact upon the visual amenity of the area. Furthermore, the retention of the remaining protected trees on site to form part of the public open space is welcomed.

- 5.35 Policy E3 introduces the concept of Biodiversity Net Gain and sets out that all development will be expected to demonstrate the delivery of a net gain for biodiversity. The applicant has included an Enhancement Plan in their submission and this is set out as a recommended condition.

Drainage

- 5.36 There is no evidence to suggest that the proposed development cannot be accommodated by existing drainage infrastructure in the area. It is also noted that Northumbrian Water does not object to the proposed development. It is considered that surface and foul water can be dealt with within this application through the application of an appropriate condition.

Highway Safety

- 5.37 The Highway Authority has no objections and the concerns they raise about visibility can be addressed by appropriate conditions. It is noted that the Agent has very recently sent amended details directly for the Highways Officers consideration, which can be verbally conveyed to update Members at the planning consultative panel meeting.

Planning Balance

- 5.38 In assessing this application, it is clear that the proposal would create a high-quality residential scheme including 11 affordable dwellings in a sustainable location in full compliance with the Neighbourhood Plan and otherwise in compliance with Local Plan Policy. There would be significant material benefits in terms of social and economic advantages to the village through the provision of these new dwellings, especially the 11 affordable units. There would be limited visual impacts to the form and character of the village and the countryside but this would not represent significant harm and would be outweighed by the demonstrable benefits. There are no other material considerations that would outweigh these benefits and approval of the application is recommended.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations, the completion of a Section 106 Legal Agreement in relation to securing the provision of affordable housing and subject to the conditions set out below that the application is **APPROVED**:

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with drawing numbers:

18001 L01B

18001 P01D

18001 P02D

18001 P05

18001 P06

18001 P10 GA

18001 P11B GA

18001 P20A

18001 P21

18001 P30A

18001 P31

18001 P50B

18001 P51B

18001 P52B

18001 P53A

18001 P54A

18001 P55A

18001 P56

18001 P300

3. 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, including the brick wall and all surfacing material 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.
4. Prior to the construction or alteration of above ground external surfaces commencing, details of the materials and cross section of the window frames and glazing bars, together with details of the method of construction and opening mechanism and opening movement of all windows shall be submitted to and approved in writing by the Local Planning Authority. Following such written approval, all installed windows shall conform to that approved specification.
5. All new, repaired or replaced areas of hard surfacing shall be formed using porous materials or provision shall be made to direct run-off water from the hard surface to an area that allows the water to drain away naturally within the curtilage of the property.
6. There must 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) until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing highway have been submitted to and approved in writing by the Local Planning Authority. No part of the development must be brought into use until the measures required to prevent surface water discharge have been implemented in accordance with the details approved in writing by the Local Planning Authority. Once created these measures must be maintained and retained for their intended purpose at all times.
7. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the following requirements:
 - i)The crossing of the highway verge must be constructed in accordance with the approved details and Standard Detail number E50.
 - ii)Any gates or barriers must be erected a minimum distance of 4.8 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
 - iii)The final surfacing of any private access

must not contain any loose material that is capable of being drawn on to the existing public highway. All works must accord with the approved details.

8. No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users have been constructed in accordance with the approved drawing reference "Site Plan As Proposed" W084.16.02. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
9. There shall be no access or egress by any vehicles between the highway and the application until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:
i)details of any temporary construction access to the site including measures for removal following completion of construction works; ii) wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway; iii) the parking of contractors' vehicles; iv) areas for storage of plant and materials used in constructing the development clear of the highway; iv)contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal.

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
11. 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: i) evidence that other means of surface water drainage have been properly considered and why they have been discounted ; and ii) the means of restricting the discharge to public sewer to a maximum rate of 3.0 litres per second.
12. The development shall not be occupied until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. 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.

13. Works shall be carried out strictly in accordance with the mitigation measures set out at section 7 and the recommendations for ecological enhancement & compensation set out at section 8, of the submitted Ecological Impacts Assessment prepared by MAB Environment and Ecology Ltd dated July 2020.
14. The development shall be carried out in complete accordance with the mitigation and enhancement measures set out in the Ecological Impact Assessment prepared by Naturally Wild dated August 2020 reference BSBA-20-01.
15. No development shall commence until details of the visibility splay as defined in Manual for Streets where the road outside the site has a speed limit of 30mph are submitted to and agreed in writing by the Local Planning Authority. The splays as approved shall be implemented in full before any construction traffic enters or egresses the site and shall be retained thereafter.
16. The finished floor levels shall be in complete accordance with drawing number 003-01-engineering layout showing existing and proposed levels, across the site, unless otherwise agreed in writing by the Local Planning Authority.
17. Prior to the construction of above ground walling a detailed sustainable energy scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how sustainable energy issues have been addressed by reference to accredited assessment schemes. The sustainable energy scheme shall include an energy use assessment and consider the feasibility of incorporating Combined Heat and Power (CHP) schemes into the development. The scheme shall also show how energy efficient measures will be incorporated into the development which will provide at least 10% of their energy requirements from on-site renewable energy generation, or otherwise demonstrate similar energy savings through design measures. The development shall thereafter be carried out in accordance with the approved scheme.

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. 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 Hambleton Development Plan Policies DP1 and CP17.
3. 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.

4. 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 and DP32.
5. To reduce the volume and rate of surface water that drains to sewers and watercourses and thereby not worsen the potential for flooding in accordance with Hambleton LDF Policies CP21 and DP43.
6. In the interests of highway safety.
7. To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.
8. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
9. In the interest of public safety and amenity
10. In the interest of satisfactory and sustainable drainage
11. To ensure that no surface water discharges take place until proper provision has been made for its disposal
12. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy CP1, CP16, CP17, DP1, and DP32.
13. In accordance with Hambleton Local Development Framework Policies CP16 and DP31
14. In order to protect habitat and provide bio-diversity enhancements.
15. In the interests of public safety.
16. To ensure that the proposed development protects the character and amenity of the area, in accordance with policy DP1 and DP32.
17. To ensure compliance with Policy DP34 in relation to Sustainable energy.