

**HARROGATE BOROUGH COUNCIL  
PLANNING COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.  
DATE: 2 August 2016**

<b>PLAN:</b> 01	<b>CASE NUMBER:</b> 16/00031/OUTMAJ
	<b>GRID REF: EAST</b> 415181
	<b>NORTH</b> 466030
<b>APPLICATION NO.</b> 6.59.307.A.OUTMAJ	<b>DATE MADE VALID:</b> 15.01.2016
	<b>TARGET DATE:</b> 15.04.2016
	<b>REVISED TARGET:</b> 30.06.2016
<b>CASE OFFICER:</b> Mr Mike Parkes	<b>WARD:</b> Nidd Valley

**VIEW PLANS AT:**

<http://uniformonline.harrogate.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O0JJZXHYHZ600>

**APPLICANT:** Newby Management UK Ltd

**AGENT:** Parker Planning Services Ltd

**PROPOSAL:** Outline planning application for the erection of 20 dwellings access considered (Site Area 2.3ha) (revised scheme).

**LOCATION:** Land Comprising Field At 415181 466030 Low Wath Road Pateley Bridge North Yorkshire

**REPORT**

**SITE AND PROPOSAL**

Outline planning permission is sought for 12 open market dwellings and 8 affordable dwellings on 2.3 ha of Grade 4 agricultural land within the Nidderdale Area of Outstanding Natural Beauty (AONB); opposite Nidderdale High School, the adjacent day nursery to that school and part of the grounds of a dwellinghouse known as 'Grassfield Court'. The site comprises of two irregular shaped open grassland fields at the settlement edge. At its widest, the site occupies approximately half of the land between Low Wath Road and the River Nidd and extends south to a point almost adjacent to the access to Riverside Car Park, beyond which is Riverside Caravan Park. An existing pedestrian link provides access to the town centre from Riverside Car Park, crossing the River Nidd and the Millennium Green.

The opposing side of Low Wath Road, to the south east of the school development, has a largely treed character. Grassfield Court is the nearest property, with Grassfield House Hotel, a grade II listed building dating from 1810, and Grassfield House to its south; beyond these are the residential development of Ashfield Court Road and Grassfield Close. To the north, 82m from the application site, Grassfield Cottage is also a Grade II listed building, and a further dwelling, Grassfield Garth, lies between that listed building and the school grounds.

The topography of the site is undulating, dipping then rising towards the north and is prominent in the bottom of the wide Nidd valley, visible from many important public vantage points within the AONB, from within both urban and rural locations and from close (i.e. 500m), to medium (up to 2km) distances. It is bound by dry stone walls, hedgerows and post and wire fences with agricultural land abutting to the north and east. There are few trees or hedgerows, so extensive views exist across and along the valley floor. The site, along with its surrounding area, is essentially rural in character and separate from the built-up area.

The details accompanying the application have been revised since the original submission of this application and the access to the site is now shown as being 7m north of the opposing accesses to the day nursery.

All matters are reserved for subsequent approval and therefore only limited weight can be given to the indicative details supporting the application. These now promote three 5 bed open market houses, three No. 4 bed open market houses and six 2 bed affordable houses. There would also be eight 3 bed houses (of which a pair would be affordable and the rest open market), and of a maximum of two storeys in height set largely in a rectangular arrangement around two "fold yard" parking courts. These extend approximately 80 metres into the site from Low Wath Road and the remainder of the site is indicated as being Public Open Space.

## **MAIN ISSUES**

1. Principle
2. Effect on Nidderdale Area of Outstanding Natural Beauty
3. Impact on Listed Building and Conservation Area
4. Affordable Housing
5. Ecology
6. Land Contamination
7. Highway issues
8. Drainage and Flood Risk
9. Public Open Space and Village Hall Provision
10. Crime
11. Other issues

## **RELEVANT SITE HISTORY**

6.59.307.OUTMAJ (14/05104/OUTMAJ) - Outline application for the erection of 60 dwellings with all matters reserved refused 18 Feb 2015. Reasons for refusal:-

1. The proposal is considered to be a major development in an Area of Outstanding Natural Beauty which would be visually harmful to the rural character of Nidderdale. Therefore, the proposal is contrary to guidance within the National Planning Policy Framework, Saved Policies C1, C2 and HD20 of the Harrogate District Local Plan and Policies SG4 and EQ2 of the Harrogate District Core Strategy.
2. The proposal would adversely detract from the significance of the setting of the Grade II listed building, Grassfield House Hotel, contrary to guidance in the National Planning Policy Framework and Policy EQ2 of the Harrogate District Core Strategy.
3. No substantive evidence has been provided to demonstrate that the proposed development would not detract from the habitats of protected species. The proposal is

therefore in conflict with guidance in the National Planning Policy Framework and Policy EQ2 of the Harrogate District Core Strategy.

4. Insufficient evidence has been provided to demonstrate that the traffic generated by the development would not be unduly harmful to local highway safety, with a particular regard to the B6265 Pateley Bridge High Street. Therefore, the proposal would conflict with guidance in the National Planning Policy Framework and saved Harrogate District Local Plan Policy HD20 and as a result of that harm within the Conservation Area saved Harrogate District Local Plan Policy HD3 and Harrogate District Core Strategy Policy EQ2.

## **CONSULTATIONS/NOTIFICATIONS**

### **Natural England Sites Within AONB**

Have no comments to make on this proposal.

### **Parish Council**

Bewerley

### **EHO Contaminated Land**

Do not consider noise from the school to be a major issue.

Recommends that best practise measures are taken with respect to construction noise during the construction phase of the development and the measures to be adopted should be included in construction management plan.

Requires a method statement/ dust mitigation plan to minimise the effect of construction dust on the existing dwellings and the wider environment during the construction phase.

Also requests a condition be imposed on any approval in respect of an electric vehicle infrastructure strategy and implementation plan.

Suitable and sufficient provision shall be made at all premises for the storage and containment of refuse prior to collection and access for collection of refuse.

Requests any approval have an appropriate condition in respect of Land Contamination (see assessment for further comments).

### **Yorkshire Water**

Company records indicate a live water main crosses the part of the red line site layout. The presence of the main may affect the layout of the site and is a material consideration in the determination of this application.

Recommend that no obstruction encroaches within 3 metres on either side of the main i.e. a protected strip width of 6 metres. The exact line of the main will have to be determined on site under Yorkshire Water Services supervision. It may be possible for the main to be diverted under s.185 of the Water Industry Act 1991. These works would be carried out at the developer's expense.

Request any approval includes a condition in respect of this 6 metre buffer strip and also

conditions provision of surface water drainage system.

### **NYCC Highways And Transportation**

Notes previous application was for 60 dwellings (see assessment for further comments).

Recommends that any permission include conditions requiring the provision of a footway on the frontage of site linking up to the riverside car park access and visibility splays of 2.4m x 42m to the south and 2.4m x 40m to the north.

Also request conditions in respect of;-

- detailed plans of road and footway layout,
- discharge of surface water,
- construction of roads and footways and parking provision prior to occupation of dwellings,
- no garage conversion to habitable room,
- permanent site construction access,
- precautions to prevent mud on the highway,
- provision of on-site parking, and on-site storage during development.

### **Environment Agency - Dales Area Office**

Have no comments to make.

### **H.B.C Land Drainage**

Has no objections.

Notes that Yorkshire Water has confirmed that, as a last resort, surface water may discharge to the 375mm diameter public surface water sewer recorded in Low Wath Road via on site attenuation.

Requests any approval include conditions in respect of :-

- the detailed design and associated maintenance and management plan of the surface water drainage strategy, and
- details of how surface water will be managed during the construction phase.

### **NYCC Lead Local Flood Authority (SuDS)**

Does not object.

Advises on various issues which require clarification (such as run off rates) . These are matters that can be adequately covered through further submissions which would be the subject of conditions attached to any approval of permission.

### **Principal Ecologist**

Does not object (see assessment).

### **Landscape Officer**

Objects (see assessment).

### **Police Architectural Liaison Officer**

Requires adequate security to be put in place during the construction period.

Comments no information appears to have been supplied, to show how crime prevention, security or community safety would be dealt with in respect of the proposal.

Of particular relevance to this application in the year ending 30th April 2016 are burglary (9) and vehicle crime figures (8) in the Pateley Bridge area.

Notes illustrative plan indicates all dwellings will be outward looking and that vehicle parking, although not clearly indicated at this stage, would be to the rear of dwellings. This could create a potential crime risk; it is important that all parking is well overlooked, particularly from normally 'active' rooms. This should be taken into consideration when drawing up a more detailed proposal.

Anticipates that boundary treatments to dwellings will reflect the local vernacular, e.g. stone walling and native hedging etc. In 'designing out crime' terms, this would be acceptable on a site specific basis.

In the event of street lighting being inappropriate for this location, recommends that each dwelling should be provided with lighting to illuminate all external doors and if appropriate, in curtilage garage areas. Lighting should ideally be switched on/off using a photo electric cell (dusk to dawn) with a manual override.

### **Housing Department**

Require 40% (8 of the 20 proposed homes) as affordable housing, subject to financial viability. Of the 20 homes proposed we would require 8 to be affordable.

The SHMA identifies a need for 313 affordable units per annum. Priority will be given to those with a local connection to the Upper Nidderdale sub area.

The SHMA also shows the need for smaller units and require this development to contribute :

- One or two 1 bedroom houses
- Five 2 bedroom houses
- One or two 3 bedroom houses

Affordable homes should be well integrated within the development. The affordable units would transfer to one of our Registered Providers at our agreed transfer price.

### **Conservation and Design Section**

Object. See Assessment.

### **AONB - Joint Advisory Committee**

The Joint Advisory Committee (JAC) objected to the 2015 application for 60 houses on this site on the basis that major development will cause unacceptable harm to the AONB's nationally designated landscape.

The JAC notes that the 2015 Landscape and Visual Impact Assessment has been re-submitted. The JAC disagreed with the conclusions of this assessment in 2015 and has not changed its position since. Their Committee would again reiterate comments on the 2015

application:

'Harrogate's 2004 Landscape Character Assessment (LCA) notes that 'The capacity of this [Nidderdale Valley] landscape to accept new built form is limited' and 'the rural pastoral landscape is at saturation point'.

LCA guidelines recommend that development beyond development limits should be discouraged and that 'new facilities and buildings should only be permitted where they are not highly visible, respect landscape form and pattern'.

The development would cause significant, irreversible and permanent harm to the landscape setting of Pateley Bridge and would disrupt the corridor of green space formed by the Showground and the Recreation Ground in a way that the caravan and camping site, whose outline is re-configured seasonally, does not.

The static caravan element of the Riverside Park has a temporary appearance, whereas housing in the proposed location would appear superimposed and disconnected from the core settlements of Pateley, Bridgehousegate and Bewerley, especially when seen from the range of vantage points on the adjacent highway and public rights of way network'.

The JAC strongly objects to this application.

#### **RELEVANT PLANNING POLICY**

NPPF	National Planning Policy Framework
CSC1	Core Strategy Policy C1: Inclusive communities
CSEQ1	Core Strategy Policy EQ1: Reducing risks to the environment
CSEQ2	Core Strategy Policy EQ2: The natural and built environment and green belt
CSSG1	Core Strategy Policy SG1 Settlement Growth: Housing Distribution
CSSG2	Core Strategy Policy SG2 Settlement Growth: Hierarchy and limits
CSSG4	Core Strategy Policy SG4 Settlement Growth: Design and Impact
CSTRA1	Core Strategy Policy TRA1: Accessibility
CSTRA2	Core Strategy Policy TRA2: Transport infrastructure
CSTRA3	Core Strategy Policy TRA3: Travel management
LPC01	Harrogate District Local Plan (2001, as altered 2004) Policy C1, Conservation of Nidderdale A.O.N.B
LPC02	Harrogate District Local Plan (2001, as altered 2004) Policy C2, Landscape Character
LPH05	Harrogate District Local Plan (2001, as altered 2004) Policy H5, Affordable Housing
LPHD03	Harrogate District Local Plan (2001, as altered 2004) Policy HD3, Control of development in Conservation Areas
OPGCPB	Other Planning Guidance, Pateley Bridge Conservation Area Character Appraisal
PGDESN	Planning Practice Guidance - Design
PGHIST	Planning Practice Guidance - Conserving and enhancing the historic environment
PGNENV	Planning Practice Guidance - Natural Environment
PGOBLI	Planning Practice Guidance - Planning obligations
PGTRAV	Planning Practice Guidance - Travel plans, transport assessments and

	statements in decision-taking
SPDPOS	Supplementary Planning Document: Provision for Open Space in Connection with New Housing Development
SPDPVH	Supplementary Planning Document, Provision for Village Halls in Connection with New Housing Development
SPGLAP	Supplementary Planning Guidance, Landscape Character Assessment of Harrogate District

## **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 24.06.2016

**PRESS NOTICE EXPIRY:** 30.06.2016

## **REPRESENTATIONS**

**Bewerley Parish Council-** Object. See Appendix 1.

## **OTHERS**

Pateley Bridge Town Council -Although the proposed site is situated in an adjacent parish, any such development would have an impact on Pateley Bridge town; not only an intrusive visual impact on the general scene, but also from the Conservation Area and from the Cemetery and the higher parts of the town. It would also be highly detrimental to the traffic situation outside the High School and in particular on the narrow High Street of the town. Voted unanimously to support a motion: that this development would be a gross visual intrusion into the landscape of the Nidderdale AONB, despoiling the prospect as the road leaves the town to head to the upper dale; and for this reason this view should be protected and no development whatsoever should be permitted on this site; and that any development of this size in this location would increase the traffic hazards outside the High School and lead to increased hazards to vehicles and pedestrians on the High Street itself.

Letters received from 23 authors which raise, in summary, the following objections to the proposal;

Any such development would affect the local community in a broader sense than the confines of the parish boundary, and strongly objects to any development whatsoever on this site.

Visual harm on AONB and views including from cemetery and higher parts of town conservation area, NE side of the dale - Top Wath Road, Silver Hill, and the Moors road above Silver Hill. No extent of screening will mitigate. Harm gateway to northern dale. Existing development not a justification for more.

Inappropriate major large scale planning application, Conflict with AONB Management Plan.

Isolated development separated from the town by the recreation ground which forms a transition from town to country Intrudes into the rural setting . Outside development limit.

No need. More than a 5 year housing supply; and housing should be on brownfield sites. Too large and expensive houses – not suit local needs/ affordable need only. No benefits for development.

Should be no presumption in favour of the development.

Negative impact on views and setting of Grade II Listed Buildings, Grassfield Hall, Grassfield Cottage and their outbuildings/grounds. Extra screening and setting back will not work.

Negative effect on tourism, Grassfield Hall Hotel benefits greatly from its setting - the stunning view of the AONB to the front. Any development on the site would detract from its appeal and overall desirability.

Adverse effect on towns finances - Tourism important income source. Detract from walk over millennium bridge. Tourists value high quality scenery, tranquillity openness and remoteness.

Access opposite school and nursery. Increased traffic on Low Wath Road outside High School and on Pateley High Street; potential conflicts with large farm vehicles, buses, coaches, caravans, cars, pedestrians, including school children, and cyclists. Not sustainable. Increased rat runs via Bewerley and Glasshouses.

Increase in crime.

A drip feed for more development beyond the 20 houses.

Potential for pollution of river.

Land water logged and floods, spring forms stream.

**VOLUNTARY NEIGHBOUR NOTIFICATION - None**

## **ASSESSMENT OF MAIN ISSUES**

**1. Principle** – The statutory development plan consists of the Harrogate Borough Council's Core Strategy, the saved policies of the Harrogate District Local Plan (2001, as altered 2004) and the related supplementary planning documents. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) is also a material consideration in planning decisions and particularly relevant in terms of the policy assessment of this proposal. The NPPF requires that housing applications are considered in the context of the presumption in favour of sustainable development.

The latest housing land supply within the district (30 June 2016) stood at 5.5 years. Given this 5 year land supply the terms of paragraph 14 of the NPPF, that 'permission should be granted unless to do so would result in significant and demonstrable adverse effects', therefore does not apply on that particular basis. Whilst however the Council can demonstrate a five year land supply of housing sites, further housing permissions are needed in order to maintain the Council's 5 year land supply of deliverable sites.

Relevant policies for the supply of housing are however not be considered up to date to achieve and in order to maintain a 5 year supply of deliverable housing sites land outside of the limitations imposed by those policies, including outside of development limits, is required to achieve the 557 dwellings per annum that are required rather than the 390 dwellings per

annum that the polices were drafted on.

Paragraph 115 of the NPPF makes clear that ‘great weight should be given to conserving landscape beauty and scenic beauty in the AONB’ and at Paragraph 116 it states that planning permission should be refused for major developments in designated areas such as the AONB except in exceptional circumstances and where it can be demonstrated they are in the public interest.

The term “major development” in the context used in the NPPF is explained in the Landscape section of the Planning Practice Guidance, at paragraph 5, in that it will be a matter for the relevant decision taker, taking into account the proposal in question and the local context.

The impact of this proposal would provide a significant change to the form of the settlement, the existing tapering out of development along Low Wath Road changing significantly to widening out towards its northerly tip to accommodate the proposal. Given the proposal that has been made it is considered correct to judge it as “major development” in its local context.

In such a circumstance the NPPF sets out a number of issues that have to be considered;

- (i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- (ii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- (iii) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated, which will be commented on in the sub sections below.

In respect of the first of these there is no dispute that, following the change in housing policy introduced by Central Government and the shifting of housing away from the regionally driven allocations, there is a shortage of housing land in the district as a whole.

During the preparation of the now withdrawn Sites and Policies DPD the site was considered as an option for a mix of market and affordable housing and was subject to public consultation as a Preferred Option for housing (P5a). However, prior to the formal publication of the submission draft document in November 2013 it had been concluded that the harm that the development of this site would cause to the character of Pateley Bridge and Bridgehousegate in the AONB outweighed the need to meet the housing requirement for the settlement. That need was considered to be met by better alternative local sites and significantly most of the requirement could be met elsewhere within the District, outside the AONB.

**2. Effect on the Nidderdale Area of Outstanding Natural Beauty – Policies SG4 and EQ2** of the Core Strategy and Saved Policies C1 and C2 of the Local Plan variously seek to protect landscape character and are relevant to this proposal; the Landscape Character Appraisal being interrelated with Policy C2 while Policy C1 addresses specifically the conservation of the AONB.

The NPPF, at Paragraph 109, similarly advises that the planning system should contribute to

and enhance the natural and local environment by protecting and enhancing valued landscapes. It is made clear, at paragraph 115, that great weight should be given to conserving landscape and scenic beauty in an AONB, which have the highest status of protection in relation to landscape and scenic beauty.

The site is situated in open countryside within the Nidderdale AONB and the proposal would significantly impact upon the northerly approach to Bridgehousegate and Pateley Bridge; Nidderdale High School and existing associated buildings themselves form a brief visual incursion into that approach but the remainder of the existing development is either transitory in nature or well screened. As advised in the Landscape Character Assessment development of a scale and type that impacts upon the rural character of the area should be resisted. Further the Design section of Central Governments Planning Practice Guidance advises, at Paragraph 7, that “development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development”.

While the content of the withdrawn DPD carries no material weight, sites that were included in the Plan as draft allocations are part of the history of what the Council regarded as sustainable and appropriate at that point in time. The decision in October 2012 not to include this site (also known as Site P5a) was due to the harm that development would cause to the character of Pateley Bridge and Bridgehousegate in the AONB. The Site Selection Methodology concluded that ‘This is the poorest performing of the preferred options for Pateley Bridge. In reviewing the potential for an allocation it has been concluded that the harm caused to the character of the settlement in the AONB outweighs the need to meet the housing requirement for this particular settlement’.

The Landscape and Visual Impact Assessment (LVIA) submitted with the application acknowledges that the existing landscape character is considered to be of high sensitivity to change, and advises that the anticipated magnitude of change would be medium with a predicted overall impact significance of moderate adverse. The LVIA supports development on the valley floor rather than on the sides of the valley and consequently differs in the view to that set out in the previous paragraph. Further commentary added to LVIA states that “development in Pateley Bridge has historically taken place in a linear pattern along the riverside. The majority of development is concentrated in an area situated above the low lying flood plain but below the higher, steeper valley slopes, where development is limited to individual dwellings and farmsteads. Proposed development occupies a plateau of land above the flood plain, at the base of the steep valley sides to the west. As a result of this historic settlement pattern,” the LVIA considers that “the site would appear as a logical response to landscape topography, at the edge of Pateley Bridge, which would be characteristic of the existing development pattern.” The LVIA also comments that the site also has the potential to be screened by additional tree planting which would enhance the wooded character of the AONB.

The broad well-wooded valley of the River Nidd forms with wider landscape and there is generally built form in the valley bottom that relates well to the wooded landscape however, notwithstanding the further commentary added to the LVIA, the massing of twenty dwellings set out in the indicative scheme would conflict sharply with the existing plateau that is used as pasture.

The submitted LVIA is considered to underplay the impact of the proposal on the surrounding landscape from its eleven identified viewpoints and the impacts are actually considered to be

'moderate/significant adverse' or 'significant adverse to significantly adverse' rather than generally 'neutral to moderately adverse'.

It is concluded that the applicants predicted impacts and effects do not accurately reflect the large scale and magnitude of change that would result with the introduction of built form. The proposed built form would have a high magnitude of change due to the introduction of major elements and scale of development extending the built form footprint of the settlement into the open valley floor landscape. The site is highly sensitive to development within a landscape which is highly susceptible to change.

In addition the proposed built development at Bridgehousegate is not likely to appear as a natural extension to the north-west edge Pateley Bridge due to separation distances from the residential margins of the market town. The intervening holiday occupancy caravan park appears as a temporary non-vernacular land use un-related to the built fabric of the town. The adjacent Nidderdale High School, a community building, is distinct in its non-vernacular built form and clearly a non-residential development, which strongly defines the settlement edge. The site is un-connected to Pateley Bridge and not considered as part of a logical extension to the vernacular fabric of the town. It is not well integrated with the spatial qualities of the local area in accordance with Core Strategy Policy SG4.

Taking into account therefore paragraphs 115 and 116 of NPPF, it is considered that the impact of the development of this site on the character of the AONB and the setting of Bridgehousegate and Pateley Bridge within that AONB would outweigh any "benefits" of a housing development.

The March 2014 Planning Practice Guidance, in its Design section, comments that new development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected, and spaces complement one another.

The submitted documentation proposes that the proposed dwellings are a maximum of two storeys in height.

Regard should be given to views on from the approach from the north, either retaining green vistas or forming a green barrier minimising the intrusion of any dwellings.

Whilst the previously refused scheme did at least allow some views across the site from Low Wath Road through open spaces, the indicative plan now provided allows views only along the access road, and the view is in any event channelled between buildings to the south and high screening (walls) to the private gardens to the north.

The indicative layout now shows the proposed buildings set around the sites of a large rectangle with few gaps of any scale in-between. Such an arrangement would, from many aspects, appear a continuous wall of development, despite the setting back of houses in the centre of the north and southeast sides.

The proposed arrangement of buildings and their grain shown on the indicative layout would not reflect local building grain and as a result would appear alien, whether or not the building design and materials reflected local distinctiveness. The illustrative plan would not result in development that would be complementary to the spatial qualities of the area; it would not be

appropriate to the form and character of the existing settlement, nor result in locally distinctive design.

If therefore, it was to be agreed that the site was suitable for development there is significant concern about its ability to accommodate dwellings in a manner that would not be harmful to the AONB. The indicative extent of development spread across the site results in massing of development at odds with the rural setting of Grassfield House with unsuitable mitigation.

The proposal consequently would not fulfil the environmental dimension of sustainable development as set out in the NPPF (Para 7).

**3. Impact on Listed Building and Conservation Area-** Section 16 and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities, in carrying out their development control functions, pay special regard to the special architectural or historic interest of the listed building and to the desirability of preserving or enhancing the character or appearance of the conservation area.

The site is within the setting of two grade II listed building, 'Grassfield Cottage' and Grassfield House Hotel. The latter as a result of tree felling has a degree of inter-visibility with the site. The building was originally built as a small country house nearby to, but isolated from, the settlement of Bridgehousegate and its rural setting contributes to its significance.

The application now includes details relating to the setting of Grassfield House with the 1810 building by 1909 having a substantial belt of woodland and shrubbery to its east separating it from Low Wath Road leading to a statement that "views to the east from this house have never been important to the setting of the dwelling". The properties built at Ashfield Court are stated as occupying "the parkland immediately to the south of Grassfield House" curtailing "views from the principal elevation. The loss of this landscape setting ... was not of sufficient significance to jeopardise listing in 1987."

The NPPF notes, in its glossary, that "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".

It is acknowledged that twentieth century development has encroached on the setting of the house, particularly impacting on its southern aspect. Also there was a treed area to the east of the listed country residence, which would have constricted views out to the east. However, the earlier OS epoch 1 (the first County Series survey; published dates 1843 to 1893) shows clearly footpaths within the area of trees. This was not a woodland, but part of a garden to the house. No doubt there would have been glimpsed views through to the open land beyond and inter-visibility of the house and open land from the garden paths. Also access to the house would be via Low Wath Road, from which the open aspect over the field and to the other side of the valley would be enjoyed.

The development site is an important part of the surroundings in which the asset is experienced, and it makes a positive contribution to the significance of the building, whilst development to the south makes a negative contribution. Consequently development of the scale proposed inevitably is harmful to the setting of the listed building, particularly due to cumulative impact.

Grassfield Cottage to the north may be affected in terms of outlook albeit largely oblique however the proposal is not considered to adversely impact its setting.

There would also be an impacting on certain views from the conservation area of Pateley Bridge, in general not the key views indicated within the Conservation Area Appraisal, but from the upper part of town, and particularly looking across the cemetery across the river. Consequently some, albeit not substantial, harm would be caused to the setting of the conservation area in terms of the presence of any buildings on the site.

**4. Housing Mix** - Saved Local Plan Policy H5 in association with revised national and local guidance requires that on schemes of 3 or more dwellings in this locality 40% affordable housing is provided, which is provided for in the application details. Paragraph 50 of the NPPF notes that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand;

The affordable houses provide for 6 2 bed and a pair of 3 bed affordable houses, while the open market properties are indicated as being 6 3 bed, 3 4 bed and 3 5 bed which wholly fails to address in terms of open market house size need identified in the Council Strategic Housing Market Assessment.

This submitted schedule of accommodation is not acceptable; the dwelling number and particularly the size of the large private houses (4-5 bedrooms) contribute to a scale of built form that is inappropriate to this site outside the settlement in this location in the AONB.

The proposal consequently would not fulfil the social dimension of sustainable development as set out in the NPPF (Para 7).

**5. Ecology** - The submitted Preliminary Ecological Appraisal and Bat Activity Surveys submitted with this application found that the site comprises predominantly improved pasture with three hedgerows, two trees and a drystone wall and demonstrate that most of the ecological value of the site (including bat activity) is associated with the site's boundary features and its setting within the River Nidd Corridor.

Taken together both reports recommendations include the retention of boundary hedgerows, stone walls and trees (especially an oak tree); provision of new planting of hedgerows, shrubs and trees using native species; seeding of associated areas with wildflowers a sympathetic lighting scheme and the incorporation of bat roost features within the new development and on retained trees.

The submitted landscaping proposals drawing incorporates sufficient of these proposals to indicate that adequate mitigation and enhancement can be provided to offset the ecological impacts of a development of this scale. These include tree and woodland planting which would enhance the biodiversity of the strategically important River Nidd Green Infrastructure Corridor

Some further survey work is however required to inform the details of the enhancement scheme, including an assessment of breeding birds and more detailed botanical surveys of the riverside and spring-fed area at the foot of the embankment. There is the potential to provide a Suds wetland at the foot of the embankment to intercept surface water flow between the development site and the River Nidd which should also be investigated and

would be in accordance with Yorkshire Water's request to provide a satisfactory outfall for surface water and with national policy on Suds.

The recommendations and landscape proposals will need to be brought together to inform an ecological enhancement and management scheme to support any reserved matters application.

In comparison to therefor to the previous application which did raise ecological concerns the details provided with this application are appropriate subject to further information being provided which at this outline stage can be covered by an appropriate condition attached to any approval of permission.

**6. Land Contamination** - A Phase 1 desk study has been submitted with the application which includes a thorough assessment of the historical uses of the site and surrounding area, information on the environmental setting of the site and includes the outcome of a site walkover of the site. Whilst primarily an agricultural field a spoil heap is located on part. A risk assessment to future users of the site, contained with the study, recommends that a site investigation be undertaken as part of the geotechnical work carried out on site to establish ground conditions and foundation design etc. The Environmental Health Officer consequently recommends an appropriate condition be applied to any approval of permission.

**7. Highway issues** - The Local Highway Authority do not object to this application commenting that the same Transport statement for the previous 60 dwelling application has been submitted, however the trip rates from this development will not trigger the need for the improvements previously sought for Pateley Bridge High Street.

There does not appear to be any overriding obstacle to providing a vehicular access from Low Wath Road.

**8. Drainage and Flood Risk** - The site lies outside an area zoned as being likely to be at a major or severe flood risk from of flooding from rivers. There is however spring close to the centre of the site to mitigate against this the flood risk assessment advises on raising ground levels of buildings to the north. Limited information otherwise is given as to how the spring would be accommodated within the proposals, or exactly where it is located.

The water main may affect the position of development alongside the Low Wath Road frontage.

The submitted Flood Risk Assessment suggests that the intended outfall route for surface water discharge will be direct to the River Nidd and the Environment Agency is responsible for all matters attaining to main rivers. If direct surface water outfall to the River Nidd could not be achieved that an acceptable alternative would be to discharge via the public sewer with a restricted discharge rate following the greenfield runoff rate being proven – the 16.4l/s claimed in the application details somewhat exceeds the normal greenfield runoff rate of 3.3l/s.

**9. Public Open Space And Village Hall Provision** - Policy C1 of the Harrogate District Core Strategy notes that developers will be expected to provide for and/or contribute to the provision of community and other infrastructure needs generated directly by their development where this is necessary to make a scheme acceptable in planning terms.

Development proposals of this scale are expected to make a financial contribution to the maintenance and enhancement of off-site public open space where such facilities in the local area do not meet the Council's quality standards.

The type of contribution made in this instance can only be calculated when a site layout and dwelling numbers are confirmed at reserved matters stage. At this outline stage if the application were to be approved the requirement for open space and village hall provision can be secured by condition.

**10. Crime** - The Police Architectural Liaison Officer has raised concerns about criminal and time consuming incidents for the police, which at this outline stage fall to be considered further at part of any detailed design which may follow a grant of permission.

**11. Other issues** - A number of other issues are raised in the representations which are noted but given the given the recommendation below are not considered so material in the overall assessment.

## **CONCLUSION**

One of the core planning principles of the NPPF requires the intrinsic character and beauty of the countryside to be recognised. The proposal would not satisfy that requirement, and is considered to be a major development in an Area of Outstanding Natural Beauty for which the presumption in favour of development set out in the NPPF is set aside. There are no overriding benefits from the proposal that justify the grant of permission that causes harm to heritage assets and fails to adequately provide an appropriate mix of housing,

**CASE OFFICER:** Mr Mike Parkes

## **RECOMMENDATION**

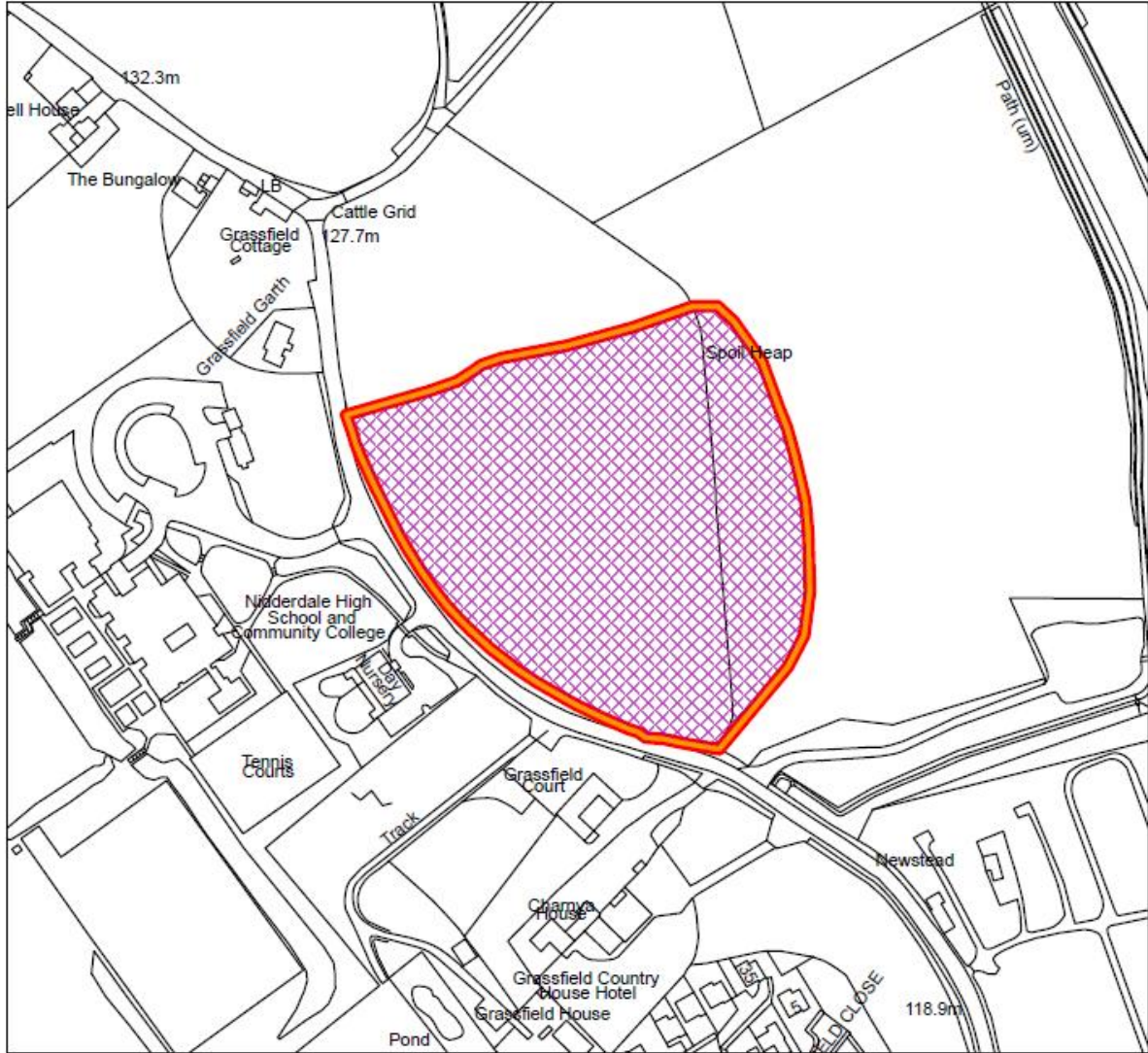
That the application be REFUSED. Reason(s) for refusal:-

- 1 The proposal is considered to be a major development in an Area of Outstanding Natural Beauty which would be visually harmful to the rural character of Nidderdale and the pattern of settlement. The environmental role of sustainable development set out in the National Planning Policy Framework would not be achieved and this unsustainable development would be contrary to guidance within the National Planning Policy Framework, Saved Policies C1, C2 and HD20 of the Harrogate District Local Plan and Policies SG4 and EQ2 of the Harrogate District Core Strategy.
- 2 The proposal would adversely detract from the significance of the setting of the Grade II listed building, Grassfield House Hotel, and the wider setting of Pateley Bridge Conservation Area within the Nidderdale Area of Outstanding Natural Beauty contrary to guidance in the National Planning Policy Framework and Policy EQ2 of the Harrogate District Core Strategy.
- 3 The range of open market housing proposed being entirely 3 ,4 and 5 bedroom

properties would not provide for a mix housing required in the locality based on the September 2015 Strategic Housing Market Assessment. The social role of sustainable development set out in the National Planning Policy Framework would not be achieved and this unsustainable development would be contrary to the terms of paragraph 50 of the National Planning Policy Framework.

# Land at Low Wath Road, Pateley Bridge

16/00031/OUTMAJ



**Scale:** 1:2,500

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Organisation	Harrogate Borough Council
Department	Economy and Culture
Comments	
Date	21/07/2016
MSA Number	100019628

