

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on 26 February 2019 at 10.00 am.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Eric Broadbent, Robert Heseltine, John McCartney, Zoe Metcalfe, Richard Musgrave, Chris Pearson, and Clive Pearson.

County Councillor David Hugill submitted his apologies.

County Councillor Andrew Lee was in attendance.

There were 16 members of the public and one representative of the press in attendance.

Copies of all documents considered are in the Minute Book

78. Minutes

Resolved -

That the Minutes of the meeting held on 13 November 2018, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

79. Declarations of Interest

There were no declarations of interest.

80. Public Questions or Statements

The representative of the Assistant Chief Executive (Legal and Democratic Services) stated that, apart from the people who had registered to speak in respect of the application below, and who would be invited to do so during consideration of that item, there were no questions or statements from members of the public.

81. C2/18/01876/CCC - (NY/2018/0104/FUL) - Erection of an anaerobic digester plant including reception building, offices, including mess and toilet facilities and a control room, all extending to 818 sq. metres, a 22k cu m lagoon for the storage of digestate, a 1.5k cu m lagoon for the storage of water, gas to grid compound, testing facilities, erection of 7 No. 2.4 m high 30 watt LED lighting posts, weighbridge, car parking facilities, a bio filter box (50 sq. metres) and the creation of 3,182 sq. metres of hard-standing and soft landscaping works at Sowerton Farm Yard, Sykes Lane, Tollerton

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application in line with the details set out above.

The application was subject to objections having been raised in respect of the proposal on the grounds of odour, visual amenity, traffic, inappropriate location close to village and was, therefore, reported to the Committee for determination.

Members noted that they had received a number of items of correspondence in relation to the application, prior to the meeting, and stated that they would keep an open mind on the matter when considering and determining the application.

Jenny Jackson, local resident representing the Tollerton Action Group, addressed the Committee, outlining the following:-

- ◆ She outlined how the application was contrary to the National Planning Policy Framework.
- ◆ In terms of the local economy, the application would provide five additional jobs, however, it would put in jeopardy numerous others due to large increases in traffic, noise, odour and air pollution.
- ◆ The caravan park, near to the application site, would suffer large scale detrimental effects from the proposal.
- ◆ Nearby local businesses, including a newly refurbished pub, and local shops would also be affected economically by this.
- ◆ The application would not support a strong vibrant local community due to the large increases in traffic, odour, noise and air pollution.
- ◆ The application did not enhance or protect the natural environment. The process was industrial and did not complement the rural nature of the locality.
- ◆ The water table was high in the area and the proposal brought additional water into the area, likely to cause flooding. The nearby ponds would be affected by this and were likely to become polluted.
- ◆ She considered that the proposed development was in the wrong location, was contrary to national and local planning policies, and should be refused by Members.

Mr Graeme Perry, the agent for the applicant, addressed the Committee, outlining the following:-

- ◆ He considered that there had been a great deal of misinformation generated in relation to the application around traffic, odour and the source of the material to be used.
- ◆ He noted that the Hambleton Environmental Health Officer had no objections to the application nor were there objections from highways, ecology, the local flood authority and any other statutory consultees.
- ◆ He noted that there had been some difficulties arising from practices undertaken on the farm adjacent to the application site, but emphasised that the proposal was not connected in any way to the farm or the business taking place there.
- ◆ He stated that other similar pilot developments had been operated satisfactorily, by the applicant, in other parts of the county.
- ◆ He noted that the proposal would take food waste out of the waste hierarchy and

would provide energy from waste, with good connections to the National Grid.

- ◆ An investment of around £200m would take place in relation to the proposal.
- ◆ He felt let down by North Yorkshire County Council and the planning process, with the application having taken 12 months to come to Committee and in that time having been dealt with by six different Planning Officers.

A representative of the Head of Planning Services presented the Committee report, highlighting the proposal, the site description, the consultations that had taken place, the advertisement and representations, planning guidance and policy, planning considerations and provided a conclusion and recommendation.

Detailed plans, photographs and visual information were presented to complement the report. Issues from the report were highlighted specifically to address the concerns that had been expressed during the public statements.

She highlighted alterations to the issues set out in the recommendation as follows:-

Recommendation 1 - sentence two - from "would not" had "be sustainable development nor wood"/after "North Yorkshire Waste Local Plan (2006)" add "Policy D01".

Recommendation 3 - first sentence after "would have" delete "the potential for" and replace with "a".

Members undertook a discussion of the application and the following issues and points were raised:-

- ◆ Clarification was requested in relation to the adherence of the application with any national or local policies. In response it was explained that the balance between the application being sustainable and not sustainable had to be considered when writing up the report and determining the application. The conclusion and recommendation highlighted the position that the Planning Officer considered was appropriate in terms of that balance. She noted that there were some sustainable elements to the proposal and that five people would be employed, however, on balance the non-sustainable issues outweighed the sustainable factors. She considered that the proposal was out of place in the proposed location and would have a major impact on the social cohesiveness of the local community. She also noted the issues around environmental impacts and flood risk.
- ◆ County Councillor David Blades outlined that he was a Member of Hambleton District Council which also had some interest in relation to the application site, but on a separate issue not related to this application, and could, therefore, take a full part in the consideration of this item.
- ◆ It was noted that it had been stated that there was no links to the existing business and development on the site, but this proposal had a shared access with the other development and it was asked whether that had a bearing on this proposal. In response the Committee's Legal Officer indicated that this was a standalone application, despite the shared access, therefore the matters relating to the other business operating from the site should not be taken account of in relation to the this application.
- ◆ Clarification was provided as to why the matter was being dealt with through the County Council's Planning and Regulatory Functions Committee rather than at District Council level, with similar applications having been considered at District

Council level previously. It was noted that this related mainly to a waste application which was why the matter was being dealt with at County level.

- ◆ A Member considered that the reasons for refusing the application, as set out in the report, could be mitigated through the implementation of conditions and asked how robust those reasons were. In response the Planning Officer again emphasised that consideration of the application should be balanced in relation to the factors in favour and those against. It was apparent that a number of policies were contravened through the development of the proposal and it would be difficult to mitigate against a number of the issues that arose in relation to that. The major impacts on the local community were outlined within the report and these gave rise to the recommendation for refusal, which were considered to be substantial and robust. It was noted that, in terms of odour, there were few conditions that could be imposed to control that.
- ◆ It was clarified that there had been a number of odour complaints emanating from the existing business at the location, which had been reported to the Environment Agency, over the last two years.
- ◆ Clarification was provided as to where the gas pipeline was expected to be located to connect to the grid.
- ◆ A Member asked for clarification as to whether the Environment Agency, Highways and Environmental Health had not objected to the application. In response it was stated that although strictly there had not been objections from those agencies they had raised a number of issues regarding the proposed operations at the site.
- ◆ A Member asked whether there had been a change of policy regarding movement of vehicles from application sites, as he could recall previous applications being recommended for approval with similar or larger vehicle movements. In response it was emphasised each application was taken on its merits and that the impact on the local community and local road network in this case were considered to be unsustainable. All the factors brought together were considered to bring a cumulative impact that would not be sustained by the local community.
- ◆ A Member referred to the impact that the proposed development would have on open and flat countryside in the area and the negative environmental impacts would have a detrimental effect on the local community.
- ◆ A Member praised the clear and concise report and suggested that the proposal would be better located in an industrial area because of the negative impact this would have on local businesses.
- ◆ A Member noted the site visit that had taken place and the topography of the land surrounding the application site, which he considered not to be conducive to the proposal.
- ◆ A Member considered that the application was finely balanced, however, he noted that weight had been given to the Hambleton District Council Local Plan and hoped that future applications would be given the same weighting in terms of their own District's Local Plans.
- ◆ A Member suggested that many of the reasons for refusal could be mitigated against through condition and considered that the proposal could be undertaken in the location details, he suggested that should the recommendation for refusal be agreed then he would use the details as evidence for future applications.

- ◆ The Planning officer noted that reference had been made to points D02 and D01 of the Local Plan, however, she suggested that point D03 could also be included as being contravened in terms of the Local Plan within the proposal and suggested they are also be included in the list of reasons for refusal.

Resolved -

That the application be refused for the reasons stated below:

1. The proposed site for the Anaerobic Digestion plant is located in open countryside away from any existing, former or proposed industrial estates, previously developed land or existing waste management facilities. As such it would not be sustainable development nor protect or enhance the natural environment and is therefore contrary to Policy DP30 of the adopted Hambleton District Council Development Framework, Policy 5/3 of the adopted North Yorkshire Waste Local Plan (2006) and Policies D01 and D02 of the emerging Minerals and Waste Joint Plan as well as conflicting with The National Planning Policy for Waste (2014) and the National Planning Policy Framework (2018).
2. The proposed development would have the potential to generate adverse impact on the local environment and local communities due to odour and from traffic movements associated with the development in particular due to possible cumulative effects arising from the use of adjacent sites sharing the same access. As such the proposed development would be contrary to Policy DP30 of the adopted Hambleton District Council Development Framework, Policy 5/3 of the adopted North Yorkshire Waste Local Plan (2006) and Policies D02 and D03 of the emerging Minerals and Waste Joint Plan as well as conflicting with the National Planning Policy for Waste (2014) and the National Planning Policy Framework (2018).
3. The proposed development would have a significant adverse effect on the local landscape in the area due to its industrial scale and appearance which is likely to be visible when viewed across the flat landscape. As such the proposal is contrary to Policy DP30 of the adopted Hambleton District Council Development Framework, Policy 4/3 of the adopted North Yorkshire Waste Local Plan (2006) and Policy D06 of the emerging Minerals and Waste Joint Plan as well as conflicting with the National Planning Policy for Waste (2014) and the National Planning Policy Framework (2018).
4. The application has not demonstrated through the submission of a drainage strategy that flood risk will not increase elsewhere as a result of the development. The proposal is therefore contrary to Policy D09 of the emerging Minerals and Waste Joint Plan, the National Planning Policy for Waste (2014) and the National Planning Policy Framework (2018).

82. Items dealt with under the Scheme of Delegation

Considered -

The report of the Corporate Director - Business and Environmental Services outlining items dealt with under the Scheme of Delegation for the period 15 October 2018 to 27 January 2019, inclusive.

Resolved -

That the report be noted.

83. Publication by Local Authorities of information about the handling of Planning Applications

Considered -

The report of the Corporate Director - Business and Environmental Services outlining the County Council's performance in the handling of a county matter and County Council development planning applications for Quarter 1 (the period 1 October 2018 to 31 December 2018).

Information on enforcement cases was also attached as an Appendix to the report.

Resolved -

That the report be noted.

The meeting concluded at 10.50 am

SL/JR

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

2 April 2019

C2/18/01581/CCC - planning application for the purposes of the widening of Tanton Bridge (Grade II listed), construction of new abutments and arch wing, spandrel wall, wingwalls and parapet and dismantling and rebuilding of all sections of parapet using existing stone, erection of 1.4 metre high 4 post and rail fence and soft landscaping works on land at Tanton Bridge, Stokesley, North Yorkshire, TS9 5JT

**On behalf of the Corporate Director, Business & Environmental Services
(Hambleton District) (Stokesley Electoral Division)**

Report of the Head of Planning Services

1.0	Purpose of the report
1.1	To determine a planning application for the widening of Tanton Bridge (Grade II Listed), construction of new abutments and arch wing, spandrel wall, wingwalls and parapet and dismantling and rebuilding of all sections of parapet using existing stone, erection of 1.4 metre high 4 post and rail fence and soft landscaping works on land at Tanton Bridge, Stokesley, North Yorkshire, TS9 5JT on behalf of Corporate Director, Business & Environmental Services.
1.2	This application is subject to four objections having been raised in respect of this proposal on the grounds of need for development, inaccuracies within information submitted as part of the planning application including plans and elevations, accident data, general bridge information and measurements re. Vehicular space for passing, disturbance to locality in terms of road closure while works take place, road safety.

2.0 Background

Site Description

- 2.1 Tanton lies approximately 2 kilometres to the immediate north of the town of Stokesley on the B1365 road between Stokesley and Coulby Newham on the outskirts of Middlesbrough. It is a small settlement comprising two farms and a hall set around the crossing point of the River Tame.
- 2.2 The setting is open rolling countryside and the surroundings to Tanton include further agricultural buildings and associated domestic dwellings set in the pastoral landscape of the area.
- 2.3 Tanton Bridge is a Grade II listed structure that carries the B1365 over the River Tame between Stokesley and Coulby Newham. The River Tame is incised into the landscape and sits approximately 10m below the prevailing level of the surrounding landscape. The road runs due north out of Stokesley but in order to lose height to the river crossing it takes a sharp turn to the west before turning again to the north to cross Tanton Bridge, meandering up the northwest slope of the valley side between Tanton Hall and Tanton Hall Farm.

- 2.4 The bridge is a single span masonry structure of small scale and proportion which sits low to the river level. It has a single round arch with a banded string course at bridge deck level and pilaster buttresses to each side of the arch. These extend through the parapet level to the coping which is a ridged ogee moulded section with the pilaster tops interrupting the flow of the coping masonry with a wider single block to cap off the feature.
- 2.5 The structure is constructed of finely dressed sandstone of various shades which was originally finely jointed to produce a high quality structure of modest scale but careful, classically influenced style, the simple lines and proportions being typical of the later Georgian period. The upstream/northeast face of the bridge is constructed predominantly of red sandstone, although much of the parapet is now made up of various yellow and brown sandstones following repair works. The downstream/southwest side of the bridge appears to be of a different stone, less red in colour, however this may be the result of the elevation being surrounded by trees which deposit lichen on the stonework discolouring it. The stone to the parapet on this side is very varied in colour, form and quality.
- 2.6 The overall length of the bridge is approximately 15m with the span being approximately 5m. The carriageway is a minimum of 7.1m in width at the centre of the bridge and has no footway to either side. A nominal narrow width of verge is present within the carriageway along much of the bridge with self-seeded grass rising to the height of the parapet walls. The parapet walls are low and rise to a maximum of only around 750mm above the bridge deck.
- 2.7 There are five other listed structures in the immediate area which are considered relevant to the setting of the bridge. These buildings are
- Tanton Hall
 - Stable Cottage to the Southeast of Tanton Hall
 - Tanton Hall Farmhouse and garden wall
 - Farm Buildings to the East of Tanton Hall Farmhouse
 - Tanton Farmhouse
- 2.8. These buildings are all listed grade II and were added to the list in 1983 at the same time as the bridge. Although not noted specifically as having a “group value” in the list description they do form a close association of buildings of similar dates and associated functions in close proximity to each other
- 2.9 The nearest residential property is located approximately 60 metres south of the Bridge, at Tanton Farm. Tanton Hall Farm and The Byre Yard are located approximately 70 metres north/north-west of the bridge. Tanton Hall and Tanton Close are located approximately 120 metres to the north/north east.
- 2.10 A plan showing the application site is attached to this report.

Planning History

- 2.11 There is no planning history relating to the proposed development site relevant to the determination of this application.

3.0 The proposal

- 3.1 Planning permission is sought for the widening of Tanton Bridge (Grade II Listed), construction of new abutments and arch wing, spandrel wall, wingwalls and parapet and dismantling and rebuilding of all sections of parapet using existing stone, erection of 1.4 metre high 4 post and rail fence and soft landscaping works on land at Tanton Bridge, Stokesley, North Yorkshire, TS9 5JT on behalf of the Corporate Director, Business & Environmental Services.
- 3.2 The Applicant has affirmed that the reasons for the consideration of this scheme are *“the frequent accident damage which is caused to the bridge and the increased traffic demand due to new housing being built just to the South of the bridge on the B1365. The bridge is too narrow for the vehicular traffic of today and is very narrow for HGV vehicles. These works are required to bring the bridge into the 21st century by widening the bridge and reducing the amount of incidents and damage caused to the bridge and call out repairs to services crossing the bridge. The bridge is currently too narrow for footpaths and only just allows one-way traffic flow at a time.”*
- 3.3 A number of options have been considered as part of this scheme, and the preferred method for widening the bridge, which as the Applicant affirms is the *“most sympathetic, replicating the existing structure”*
- 3.4 The works will comprise dismantling the upstream external masonry face of the existing bridge to the bottom of the springing points at least and widening the bridge structure by 5.745m at the mid-point. The width of the carriageway will vary dependant on the position of the road at its new alignment. A new structural vault will be constructed tied back to the original bridge and a new stone face will be constructed using the salvaged stonework from the original face-work to the upstream/northeast side and making up any defect with matching material. The new face will replicate the existing face with voussiors, roll moulding and pilasters as existing on the present structure. The mass fill material to the new structure will be built up to sub base level of the bridge deck to the new alignment and will be topped by the structural bridge deck extended to the new outer face. The curve of the approach walls will be different from the existing walls due to the new alignment and it may be necessary to replace all the existing stone with new to follow the curve of the new alignment.
- 3.5 It is likely that most if not all of the parapet will need to be replaced as the existing stonework is in poor condition and already damaged and the new alignment will require a revised curvature to the sawn stone. Some of the stonework may be salvaged for reuse but at this stage and without examination of the dismantled stones it is not possible to quantify how much this would be. As much of the original coping as possible will be retained for reuse however much of this is already damaged or replaced with non-matching stonework. The new construction will include rebuilding the parapets to an increased height of 1.15m on each side to improve the visibility of the parapet wall and better protect pedestrian safety. The downstream/southwest parapet will also be rebuilt as part of the works, correctly reinstating missing elements and rectifying the existing poor quality work. It is highly likely that the majority of the material from the downstream/southwest parapet will not be suitable for reuse due to its poor condition and different character to the original bridge material.

- 3.6 A new bridge deck will be constructed at the string course level the technical specification of which will be provided if necessary. The new bridge deck will either be tied back to the existing deck or a new single piece deck will be constructed to replace the present structure, depending on the condition and quality of the structure determined when opening up of the carriageway begins. On completion footway verges of 1.2m width will be constructed to each side and a new wearing course will be provided to finish the road surface.
- 3.7 The construction will also include an amount of bank construction on each side of the river to support the carriageway as it approaches the bridge however this construction is not envisaged as development that will impact directly on the listed structure.
- 3.8 This proposal also includes the erection of a 1.4 metre high post and rail fence on the northern boundary of the bridge.
- 3.9 The Heritage Statement states that *“the repair work proposed is considered to be in line with best practice for maintaining masonry structures and has been successfully undertaken on a number of bridges of varying ages throughout North Yorkshire. The proposed alterations aim to meet a need to widen the carriageway and footpaths to reduce further impact damage, to improve traffic flow on a narrow and congested route which carries substantial levels of traffic, and to alleviate the dangers to pedestrians using the bridge.”*
- 3.10 There is a requirement to seek Listed Building Consent for the proposed works and an application has been referred to the Local Planning Authority for determination.

4.0 Consultations

- 4.1 The consultee responses summarised within this section of the report relate to responses to consultation undertaken on the 23 July 2018.
- 4.2 **Stokesley Parish Council** – confirmed support in principal but want to ensure that the existing weight restriction remains. Concerns were expressed regarding the possible impact that widening the bridge could have on the speed of traffic, and also requested to see the inclusion of a cycle path.
- 4.3 **Hambleton District Council (Planning and Conservation)** – confirmed that on review and consideration of the impact of the proposal on the special interest of the Listed Building, that no objections are raised, subject to the proposed works using the “same materials and structure shape as the existing grade II bridge” as set out in the Design & Access Statement.
- 4.4 **Highway Authority** – confirmed no objection.
- 4.5 **Historic England** – object to the proposal, stating *“The proposed road widening scheme would cause substantial harm to the significance of the Grade II listed building. We are not convinced that there is a clear and convincing justification for the harm as there appear to be more practicable alternatives to help reduce accident damage which would cause less harm to the significance of the listed structure. We therefore object to the application on heritage grounds. The proposals do not pay ‘special regard’ to the Grade II listed building”.*
- 4.6 **Twentieth Century Society** – did not respond.
- 4.7 **Ancient Monuments Society** – did not respond.

- 4.8 **The Council for British Archaeology** – object to the proposal, stating that the proposal will “*result in the loss of evidential, architectural and aesthetic value causing substantial harm to its heritage significance. The proposal is therefore contrary to the requirements of the revised National Planning Policy framework, specifically paragraph 192. The CBA does not believe that the proposal has been clearly and convincingly justified. We further believe that Option 5 as outlined in the Design and Access Statement should be preferred as it does not result in substantial harm to the significance of Tanton Bridge.*”
- 4.9 **The Georgian Group** – did not respond.
- 4.10 **The Victorian Society** – did not respond.
- 4.11 **The Society for the protection of Ancient buildings** – did not respond.
- 4.12 **Environment Agency York** – initially objected based on the lack of information available. However, on submission of a flood risk assessment, confirmed no objection with the request of a condition on any grant of planning permission. The condition requests that the development shall only be carried out in accordance with the flood risk assessment and mitigation measures contained within it.
- 4.13 **Sustrans** – did not respond.
- 4.14 **NYCC Public Rights of Way Team** – requested an informative be included on any grant of planning permission, which requests that the existing Public Right of Way that lies north west of the bridge be protected and kept clear of any obstruction during the development.
- 4.15 **NYCC Heritage - Principal Landscape Architect** – confirmed no objection.
- 4.16 **NYCC Heritage – Archaeology** – confirmed no objection.
- 4.17 **NYCC Heritage – Ecology** – confirmed satisfaction that the proposed works would have no impact upon bats, and offer however should works be delayed for any reason then a pre-commencement check of the bridge and watercourse may need to take place to ensure no mobile species have moved in. With regard to the small bank of unimproved neutral grassland which will be lost as part of the scheme, it is recommended that this is compensated for by seeding the new earth banks with a suitable native grass mix.
- Notifications
- 4.18 **County Cllr. Bryn Griffiths** – confirmed support of the application in principle, but raised that the proposed widening should not lead to increased vehicle speeds. Cllr Griffiths also asked that a suitable designed cycle lane is included. This has since been discussed with the Applicant and Cllr Griffiths is now aware that this is not an option that will be included.

5.0 Advertisement and representations

- 5.1 This application has been advertised by means of a Site Notice posted on 19 July 2018 (responses to which expired on 09 August 2018). The Site Notice was posted on a prominent highway signpost to the immediate east of the bridge entrance. A Press Notice appeared in the Darlington and Stockton Times on 27 July 2018 (responses to which expired on 17 Aug 2018).

- 5.2 Neighbour Notification letters were sent on 19 July 2018 and the period in which to make representations expired on 9 August 2018. The following properties received a neighbour notification letter:
- Tanton Hall Farm;
 - Tanton Farm;
 - Tanton Farm Cottage;
 - Tanton Hall
- 5.3 A total of four letters of representation have been received raising objections on the grounds of:-
- Inaccuracies within information submitted as part of the planning application including plans and elevations, accident data, general bridge information and measurements re. Vehicular space for passing, disturbance to locality in terms of road closure while works take place, road safety;
 - Encroachment onto private land (which has now been resolved).

6.0 Planning policy and guidance

The Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the *Development Plan* consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils 'saved' under direction of the Secretary of State; and,
 - any planning policies contained within *Development Plan* Documents adopted under the Local Development Framework regime.
- 6.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.3 The *Development Plan* for the determination of this particular application comprises the extant policies of the Hambleton District Council Core Strategy (2007) and the extant policies of the Hambleton District Council Development Policies Document (2008).
- 6.4 Within the Hambleton District Council Local Development Framework, the Hambleton District Council Core Strategy (adopted 2007) has particular relevance in the determination of this application and the policies most relevant include:
- Policy CP1, titled 'Sustainable Development';
 - Policy CP16, titled 'Protecting and enhancing natural and man-made assets'.
- 6.5 Policy CP1 advises that proposals that significantly harm the natural or built environment, or that would generate an adverse traffic impact, will not be permitted. In addition to this the policy supports proposals that would protect the health and amenity of the population and the local landscape.
- 6.6 Within the Hambleton LDF, Core Strategy Policy CP16 of the Hambleton Local Development Framework relates to protecting and enhancing natural and man-made assets. It states that "development or other initiatives will be supported where they

preserve and enhance the District's natural and manmade assets." This policy is consistent with the NPPF's objectives of conserving and enhancing the historic environment, as outlined in Chapter 9 of the Framework which relates to the preservation and conservation of Heritage Assets.

- 6.7 The Hambleton Local Development Framework (adopted April 2007) which within it contains a Development Policies document (adopted February 2008) also has particular relevance in the determination of this application and the policies most relevant include:
- Policy DP28, titled 'Conservation';
 - Policy DP32, titled 'General design'.
- 6.8 Within the Hambleton LDF, Development Policy DP28 of the Hambleton Local Development Framework Development Policies states that "conservation of the historic heritage will be ensured by preserving and enhancing Listed Buildings and identifying, protecting and enhancing Conservation Areas". This policy is consistent with the NPPF's objectives of conserving and enhancing the historic environment, as outlined in Chapter 9 of the Framework which relates to the preservation and conservation of Heritage Assets.
- 6.9 Policy DP32 of the Hambleton District Development Policies Document (2008) development policies document states that development proposals must respect local character and distinctiveness by enhancing its positive attributes whilst mitigating its negative aspects. The NPPF (2012), Paragraph 57 states "it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes". It is therefore considered that policy DP32 does conform to the NPPF and considerable weight should also be given to this policy in the determination of this planning application.
- 6.10 Development Policy 32 contained within the Hambleton Local Development Framework Development Policies document, in respect of building form, states that "development should pay due regard to traditional design and forms of construction". This policy is consistent with the NPPF's objectives of conserving and enhancing the historic environment, as outlined in Chapter 9 of the Framework which relates to the preservation and conservation of Heritage Assets.

Other policy considerations:

National Planning Policy

- 6.11 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:
- National Planning Policy Framework (NPPF) (published July 2018)

National Planning Policy Framework

- 6.12 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.
- 6.13 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government defines sustainable development as that which fulfils the following three roles:
- a) *'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'

- 6.14 Within the NPPF, paragraph 11 of the Framework advises that when making decisions, development proposals that accord with the development plan should be approved without delay and when the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- i.) *'the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - i.) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.*
- 6.15 This national policy seeks to ensure that there are positive improvements in people's quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.16 Paragraphs 124-27 within Chapter 12 (Achieving Well Designed Places) of the NPPF states that local and neighbourhood plans should develop robust and comprehensive policies that set out a clear design vision and expectations of development that will be expected for the area. Such policies should be based on stated objectives and designed with local communities, so they reflect their local aspirations, and are grounded in an understanding and evaluation of each areas defining characteristics. Planning policies and decisions should aim to ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 6.17 Within paragraph 180 of the Framework it is noted that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
 - b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
 - c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*
- 6.18 Section 16 ('Conserving and enhancing the historic environment') of the NPPF provides the context for conserving and enhancing the historic environment.
- 6.19 Paragraph 184 states that "*Heritage assets range from site and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are intentionally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*".
- 6.20 Paragraph 192 within Section 16 ('Conserving and enhancing the historic environment') of the NPPF states that "*In determining planning applications, local planning authorities should take account of:*
- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *the desirability of new development making a positive contribution to local character and distinctiveness*".
- 6.21 Paragraph 193 within Section 16 (Conserving and enhancing the historic environment) of the NPPF states that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*"
- 6.22 Paragraph 194 states that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

- 6.23 Paragraph 195 within Section 12 states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site; and
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
 - the harm or loss is outweighed by the benefit of bringing the site back into use”.
- 6.24 Paragraph 196 states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
- 6.25 Paragraph 198 within Section states “Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred”.
- 6.26 Paragraph 202 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

National Planning Practice Guidance (PPG) (2014)

- 6.27 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a *Written Ministerial Statement* which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -
- Conserving and enhancing the historic environment
 - Design

Conserving and enhancing the historic environment

- 6.28 This states authorities should set out their Local Plan with a positive strategy for the conservation and enjoyment of the historic environment. Heritage assets may be affected by direct physical change or by change in their setting; therefore it is important to assess the significance of a heritage asset and the contribution to its setting. Furthermore all heritage assets settings may have more significance than the extent of their curtilage. The guidance also requires authorities to consider the implications of cumulative change and whether a development materially detracts from the asset.

Design

- 6.29 This states how good design is essential to sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also “reflect an areas function, history, culture and its potential need for change’. Ensuring a development can:
- deliver a wide range of planning objectives.

- *enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.*
- *address the need for different uses sympathetically.*

6.30 It is noted within the guidance that good quality design is considered to be ‘an integral part of sustainable development’. To assist in the assessment of the design of a new development, it is noted that the following considerations be taken into account:

- *‘Layout – the way in which buildings and spaces relate to each other;*
- *Form – the shape of buildings;*
- *Scale – the size of buildings;*
- *Detailing – the important smaller elements of building and spaces*
- *Materials – what a building is made from’.*

7.0 Planning considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the *Development Plan* unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are the principle and justification of development, design, local amenity and the historic environment, especially whether the works would:-

- preserve the features of special architectural or historic interest which the listed building possesses;
- respect the character and architectural merit of the building and retain as much historic fabric and architectural detailing as possible;
- give rise to any material harm to the setting of any other listed building;
- lead to less than substantial harm to the significance of the designated heritage asset; and
- weigh up any potential harm to the significance of the heritage asset against the benefits of the proposal.

7.2 The National Planning Policy Framework (2018) in Paragraph 192 within Chapter 16 (Conserving and enhancing the historic environment) of the NPPF states that when *determining applications, local planning authorities should take account of “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.”* Additionally, national policy in the form of the NPPF and Planning Practice Guidance both confirm that where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Principle and justification of the proposed development and impact upon historic environment

7.3 The primary consideration in relation to the determination of this planning application, is the impact of the proposed development upon the listed structure. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also requires the Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 7.4 The importance of having ‘special regard’ has been considered in a number of cases including *South Lakeland DC v Secretary of State for the Environment* [1992] 2 AC 141 and more recently in *East Northamptonshire DC & Barnwell Manor Wind Energy Limited v Secretary of State* [2015] 1 WLR 45. Preserving means doing no harm so where there is harm there is strong presumption against granting planning permission. Preservation of the listed building should be given considerable importance and weight when carrying out the balancing exercise; weighing the harm against other benefits and material considerations. Even if the harm would be less than substantial the balancing exercise must not ignore the statutory duty which requires considerable weight to be given to be given to preservation.
- 7.5 Historic England have objected to this proposal on heritage grounds, and have advised that the road widening scheme would cause substantial harm to the significance of the listed structure. From a local perspective, Hambleton District Council’s Planning and Conservation Team considered the impact of the proposal on the special interest of the Listed Building and confirmed no objections with no further comments. The applicant has confirmed that the historic fabric of the building will be retained and materials re-salvaged where possible. The alternative options explained in the application documents have been explored and the scheme for which this application relates is the most viable in terms of highway safety, whilst proposing to salvage materials where possible and cause minimal harm to the structure, visual appearance and local amenity.
- 7.6 The heritage statement produced by the applicant justifies why the works are needed and demonstrates the balance of retaining the significance of this heritage asset and the structure being fit for purpose with an efficient use of space and safety of highway users and pedestrians using the bridge. The Applicant has a duty to provide a safe and efficient road network, which includes river crossing and bridges. It is in pursuance of this duty that the widening of the bridge is being proposed following repeated vehicle impacts and consequential closures for repairs. The proposed works will also address the need for repairs to the structure. On the basis of the extensive and detailed heritage statement that the applicant has provided, it is considered that the need for the proposed works has been clearly justified. This is consistent with paragraph 194 of the NPPF which states that any harm to the significance of a listed structure should give clear and convincing justification.
- 7.7 The heritage statement also considers that the proposed works involves less than substantial harm to the heritage asset because the downstream/southwest elevation and bridge arch and fill are to be retained unchanged, with the exceptions of reinstating lost features, repairing poor quality previous work and increasing the height of the parapet to improve visibility of the feature and pedestrian safety. The upstream elevation will be more significantly altered due to the realignment and increase in width of the road, however the new structure will replicate the existing form and detailing of the listed bridge and will reuse as much as possible of the salvaged existing stonework. The heritage statement concludes that the change to the form of the bridge in terms of the widening of the carriageway does not represent a significant impact on the historic structure. Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In this instance, although it is acknowledged that harm will be caused to the bridge by the proposed works, the safety of highway users and pedestrians using the bridge is the purpose for the works and this therefore allows the public benefit of the scheme to be set against the historic value of the asset when considering the impact.

7.8 The applicant has affirmed that every effort will be made to reinstate original features and provide a solution to problems which otherwise threatens the character of the building. Notwithstanding the proposed harm, considerable weight has been given to the preservation of the bridge and this will be achieved through careful repairs and maintenance works as proposed by this application. It is considered that further harm could be caused to the bridge if the repair and maintenance was not undertaken. It is therefore considered that the development is in line with section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990, the principles of the NPPF and is also compliant with Policies CP16 and DP28 of the Hambleton Local Development Framework.

Impact of the proposed development on the setting of the listed structure

7.9 There are five other listed structures in the immediate area which are considered relevant to the setting of the bridge and upon which the bridge may be considered to have an impact. These buildings are

- Tanton Hall
- Stable Cottage to the Southeast of Tanton Hall
- Tanton Hall Farmhouse and garden wall
- Farm Buildings to the East of Tanton Hall Farmhouse
- Tanton Farmhouse

7.10 These buildings are all listed grade II and were added to the list in 1983 at the same time as the bridge. Although not noted specifically as having a “group value” in the list description they do form a close association of buildings of similar dates and associated functions in close proximity to each other.

7.11 The Heritage Statement submitted as part of this application states that “*the buildings to the north stand a short distance from the bridge and are separated from it by small fields and field boundary hedges. None of the buildings are oriented to face the bridge and none appear to have taken the bridge as a landscape element which was considered in their design. In this respect the bridge does not form part of a planned landscape, rather it is a functional element of little bearing on the larger designs of the settlement. Although a marginal part of the setting of these buildings it is not considered key to their position or design. The setting of Tanton Farm to the south is if anything less connected to the bridge as the access to it, the orientation of the main farm house and the intervening topography and farm buildings all reduce the relationship between the farm and the bridge substantially. When considered along with the visually minimal proposed alterations in the context of the wider landscape the proposal is of no significance when assessing the setting of the listed buildings*”.

7.12 The proposals for the bridge will impact at a limited level on the immediate setting of the bridge however as the bridge is set well below the open fields and dominant landscape setting of the listed buildings and screened in all but close up views the impact of the proposed works will be largely insignificant. Views from the south are non-existent due to the elevation of the surrounding land, whilst from the west the bridge is largely screened by topography and large hedges and trees. The view from the west will also remain substantially unaltered. From the direct north the proposal will be seen on the approach to the bridge along the road however the appreciation of the structure and its alterations will be limited by the viewpoint along the road between the walls of Tanton Hall and the hedgerows. A similar situation exists on the approach to the bridge from the direct east although here it less than 100m from the bridge first coming into view as the road turns down into the small valley and the bridge is seen at a very acute angle.

7.13 The only wider view within which the new work to the bridge will be seen is looking downstream/southwest from the northeast when standing in the fields to the south of

Tanton Hall. In this context the farm buildings of Tanton Hall Farm are dissociated from the bridge by their elevation and largely obscured behind the walls to Tanton Hall. The Hall itself and its associated buildings also stand higher above the river and away from the bridge and the distance and intervening hedgerows along with the orientation of the buildings largely away from the river reduce the impact of the works in this context. Tanton Farm on the south side of the bridge is completely dissociated from the bridge itself being separated by the rising land and hedgerows.

- 7.14 It is therefore considered that in the wider historic landscape which forms the setting to the hamlet of Tanton the works to the bridge will have no significant impact on the quality of the heritage asset.

Visual impact of the proposed development

- 7.15 The Heritage Statement states that *“The bridge is not a dominant feature in the landscape and views of it are limited however it does have a distinctive appearance notably from the upstream/northeast side where the most uninterrupted view is gained. The proposal will alter the proportions of both elevations as the parapets will be increase in height by some 400mm, approximating to an additional course of stonework. Although this change in proportion will have an impact on the appearance of the bridge it is not considered to be a significant detrimental impact on the appearance of the bridge and some benefit will be gained by the repair and reinstatement of features to the parapet.”*
- 7.16 The stated intention throughout the course of this development is to reuse salvaged stone from the works and the proposal will present an opportunity to replace the existing mismatched material with better matched and detailed stonework of a consistent form which will look to reinstate some of the original architectural intention of the design.
- 7.17 *“As a Georgian structure simple lines, uniformity and consistency would have been key to the design of even such a modest bridge as Tanton and the proposal presents an opportunity to reinstate this approach using consistent new stone of an appropriate type to construct a visually harmonious element to the upper section of the bridge. It is also very highly probable that the older surviving material retained within the parapets is not in its original location following repeated rebuilding and repair and to reinstate it precisely would not be replacing it in its “original” position, only re-setting it in its latest 21st century location”* (Heritage Statement). The proposal will therefore have an impact of some significance on the appearance of the parapets but this should be considered to be a positive impact as it reinstates the original architectural intention of this element.
- 7.18 There is no work proposed to the downstream/southwest face beyond possible repointing and removal of vegetation which are both considered to be appropriate maintenance operations neither of which will significantly affect the appearance of the structure. The upstream/northeast face of the bridge will however be entirely rebuilt on a new alignment. This will be most apparent when viewing the bridge obliquely as in a direct “head on” view the bridge will retain its existing appearance, the additional width not being visible. With appropriate detailing at the design stage and careful construction the appearance of the upstream/northeast bridge elevation should be little altered and the works would have limited impact on the visual character.
- 7.19 Public footpath number 10.140/11/1 is located immediately northwest of Tanton Bridge and the public vantage point from the footpath has been considered. Whilst the majority of the works and changes to the bridge will take place on the upstream/northeast side of the bridge, it is considered that the vantage point from the

public footpath will not significantly alter, nor be affected as the elevation of the bridge will not be substantially altered from that of the existing.

Design

- 7.20 As detailed in section 3 of this report, the applicant has affirmed that the reasons for the consideration of this scheme are “the frequent accident damage which is caused to the bridge and the increased traffic demand due to new housing being built just to the South of the bridge on the B1365. The bridge is too narrow for the vehicular traffic of today and is very narrow for HGV vehicles. These works are required to bring the bridge into the 21st century by widening the bridge and reducing the amount of incidents and damage caused to the bridge and call out repairs to services crossing the bridge. The bridge is currently too narrow for footpaths and only just allows one-way traffic flow at a time.”
- 7.21 A number of options have been considered as part of this scheme, and the preferred method for widening the bridge, which as the Applicant affirms is the “most sympathetic, replicating the existing structure”.
- 7.22 The works will comprise dismantling the upstream external masonry face of the existing bridge to the bottom of the springing points at least and widening the bridge structure by 5.745m at the mid-point. The width of the carriageway will vary dependant on the position of the road at its new alignment. A new structural vault will be constructed tied back to the original bridge and a new stone face will be constructed using the salvaged stonework from the original face-work to the upstream side and making up any defect with matching material. The new face will replicate the existing face with voussiors, roll moulding and pilasters as existing on the present structure.
- 7.23 A new bridge deck will be constructed to replace the present structure. On completion footway verges of 1.2m width will be constructed to each side and a new wearing course will be provided to finish the road surface and a 1.4 metre high post and rail fence will be erected on the northern boundary of the bridge.
- 7.24 The construction will also include an amount of bank construction on each side of the river to support the carriageway as it approaches the bridge however this construction is not envisaged as development that will impact directly on the listed structure.
- 7.25 It appears that due consideration has been given to the listed structure when designing this scheme, and the applicant has stated that “*Some of the stonework may be salvaged for reuse but at this stage and without examination of the dismantled stones it is not possible to quantify how much this would be. As much of the original coping as possible will be retained for reuse however much of this is already damaged or replaced with non-matching stonework*”.
- 7.26 The Heritage Statement states that “*the repair work proposed is considered to be in line with best practice for maintaining masonry structures and has been successfully undertaken on a number of bridges of varying ages throughout North Yorkshire. The proposed alterations aim to meet a need to widen the carriageway and footpaths to reduce further impact damage, to improve traffic flow on a narrow and congested route which carries substantial levels of traffic, and to alleviate the dangers to pedestrians using the bridge.*”
- 7.27 It is considered that the proposed works would not detract from the overall setting of the listed structure and would also not have a detrimental impact upon the external view of the site and as above, the applicant has affirmed that existing materials will be utilised as far as possible and every effort will be made to reinstate the original

features where possible. This is considered to be in line with the principles of the NPPF, Planning Practice Guidance and with Policy DP32 of the Hambleton District Council LDF Development Policies, which seeks to ensure that developments are respectful of the character of the local and surrounding area and do not result in an adverse impact upon them.

- 7.28 Where it is not possible to use existing materials, the building work would match the existing style and architecture through seeking very similar materials to that of the existing. Meaning the character of the original listed building would not be significantly harmed. The design of the proposed works are therefore considered to be both sympathetic and in-keeping with the historic fabric of the Listed Building. This is in-keeping with Development Policy 32 of the Hambleton LDF Development Policies. As such, it is felt that the works, although would proposed some harm to the bridge, would not result in substantial harm to the significance of the bridge, and would contribute to the long term sustainability and preservation of this important heritage asset.

Visual impact of the proposed development

- 7.29 The Heritage Statement states that “*The bridge is not a dominant feature in the landscape and views of it are limited however it does have a distinctive appearance notably from the upstream/northeast side where the most uninterrupted view is gained. The proposal will alter the proportions of both elevations as the parapets will be increase in height by some 400mm, approximating to an additional course of stonework. Although this change in proportion will have an impact on the appearance of the bridge it is not considered to be a significant detrimental impact on the appearance of the bridge and some benefit will be gained by the repair and reinstatement of features to the parapet.*”
- 7.30 The stated intention throughout the course of this development is to reuse salvaged stone from the works and the proposal will present an opportunity to replace the existing mismatched material with better matched and detailed stonework of a consistent form which will look to reinstate some of the original architectural intention of the design.
- 7.31 “*As a Georgian structure simple lines, uniformity and consistency would have been key to the design of even such a modest bridge as Tanton and the proposal presents an opportunity to reinstate this approach using consistent new stone of an appropriate type to construct a visually harmonious element to the upper section of the bridge. It is also very highly probable that the older surviving material retained within the parapets is not in its original location following repeated rebuilding and repair and to reinstate it precisely would not be replacing it in its “original” position, only re-setting it in its latest 21st century location*” (Heritage Statement). The proposal will therefore have an impact of some significance on the appearance of the parapets but this should be considered to be a positive impact as it reinstates the original architectural intention of this element.
- 7.32 There is no work proposed to the downstream/southwest face beyond possible repointing and removal of vegetation which are both considered to be appropriate maintenance operations neither of which will significantly affect the appearance of the structure. The upstream/northeast face of the bridge will however be entirely rebuilt on a new alignment. This will be most apparent when viewing the bridge obliquely as in a direct “head on” view the bridge will retain its existing appearance, the additional width not being visible. With appropriate detailing at the design stage and careful construction the appearance of the upstream/northeast bridge elevation should be little altered and the works would have limited impact on the visual character.

Local amenity

- 7.33 Whilst the construction of the widened bridge may cause short term noise and disruption in the locality, it is not envisaged that the proposed development would cause a long term detrimental impact to local amenity once the bridge is constructed. Closure of the road would be needed to construct the new bridge, which may cause disturbance to nearby local resident during this times, however this would be a temporary measure while construction works are carried out and would have a negligible effect on amenity.
- 7.34 Public footpath number 10.140/11/1 is located immediately northwest of Tanton Bridge and the public vantage point from the footpath has been considered. Whilst the majority of the works and changes to the bridge will take place on the upstream/northeast side of the bridge, it is considered that the vantage point from the public footpath will not significantly alter, nor be affected as the elevation of the bridge will not be substantially altered from that of the existing.
- 7.35 For the reasons detailed above, it is considered that the proposed development would not have an adverse impact upon the character of the Grade II Listed Building. Therefore it is considered that the proposed development is in-compliance with the principles of the NPPF, Planning Practice Guidance and Policy CP16 of the Hambleton LDF Core Strategy. Therefore the County Planning Authority recommends this application is approved subject to other considerations.

8.0 Conclusion

- 8.1 Notwithstanding the objection from Historic England, it is considered that there are no material planning considerations to warrant the refusal of this application for the widening of Tanton Bridge (Grade II Listed), construction of new abutments and arch wing, spandrel wall, wingwalls and parapet and dismantling and rebuilding of all sections of parapet using existing stone, erection of 1.4 metre high 4 post and rail fence and soft landscaping works.
- 8.2 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In this instance, it is acknowledged that harm will be caused by the proposed development, however the safety of highway users and pedestrians using the bridge is the purpose for the works and this therefore allows the public benefit of the scheme to be set against the historic value of the asset when considering the impact. It is therefore considered that the public benefit and highway safety requirements of the proposed development outweigh the harm. The Applicant has also affirmed that whilst these works are required, the preservation of the listed structure has been and will continue to be taken into consideration and works will be carried out respectfully whilst any new materials used will be as close match to the existing as possible, where existing materials cannot be salvaged and reused.
- 8.3 With regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Planning Authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as above, the applicant has affirmed that every effort will be made to reinstate original features and provide a solution to problems which otherwise threatens the character of the building, giving special regard to the bridge and its preservation.

- 8.4 It should be noted that an application for Listed Building Consent has been referred to the Local Planning Authority for determination.

9.0 Recommendation

9.1 For the following reason(s):

- i. the harm proposed to the listed structure is outweighed by the need for public benefit and highway safety through the widening and repair of the bridge;
- ii. the proposed development will not have a detrimental impact upon local amenity following completion of the works;
- iii. the proposed development will not have a detrimental impact upon the character of the site or historic environment;
- iv. the proposed development is in-compliance with the principles of the NPPF, Planning Practice Guidance and Policies CP1 and CP16 and 'saved' Policies DP28 and DP32 of the Hambleton District Council LDF.

That, **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

Conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

Reason: To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application details dated 28 June 2018 and the following approved documents and drawings:

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
-	23/01/17	Site Location Plan
-	03/07/18	Site Plan
-	09/07/18	Fence and hedge line plan
NYCC/BDS/220/2016 – P1	April 2016	General Arrangement Plan
NYCC/BDS/220/2016 – P2	Feb 2016	Sections Plan
NYCC/BDS/220/2016 – P3	June 2016	Priority Concept Plan
NYCC/220/PC/004	08/08/17	Cross Section Details
NYCC/220/PC/005	09/08/17	Elevations
-	June 2018	Bridge Widening Options (D&A)
-	Nov 2016	Heritage Statement
-	Dec 2018	Flood Risk Assessment
-	June 2016	Road Safety Audit Stage 1
NYCC/220/PC/008	09/08/17	Elevation of fence line
-	20/09/18	Ecology Survey Report
Appendix 30/5	-	Planting Specification

Reason: To ensure that the development is carried out in accordance with the application details.

3. No works shall be carried out except between the following times:

0700 - 1800 Monday to Friday

0700 – 1600 Saturday
0900 – 1400 Sunday

No works are permitted on bank or public holidays.

Reason: *In the interest of local amenity.*

4. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by JBA Consulting Dec 2018 Reference 2018s1634 FRA and the following mitigation measures detailed within the FRA:
1. Extended section must have an opening that matches the existing arc with span at least 4.6m wide;
 2. Proposed bridge opening must be aligned with the approach flow;
 3. Bridge soffit must be set at a minimum of 70.23Maod;
 4. Floodplain compensatory storage should be given, minimum amount of 500m³. As recommended in the FRA this should be given on the right bank where possible.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: *To reduce the risk of flooding.*

5. No development shall commence on site until full details of the fencing and stone samples have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: *To safeguard the character of the site in the interests of visual amenity.*

Informatives

1. The existing Public Right(s) of Way on the site must be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990. Applicants are advised to contact the County Council's Access and Public Rights of team at County Hall, Northallerton via paths@northyorks.gov.uk to obtain up-to-date information regarding the line of the route of the way. The applicant should discuss with the Highway Authority any proposals for altering the route.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the

existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

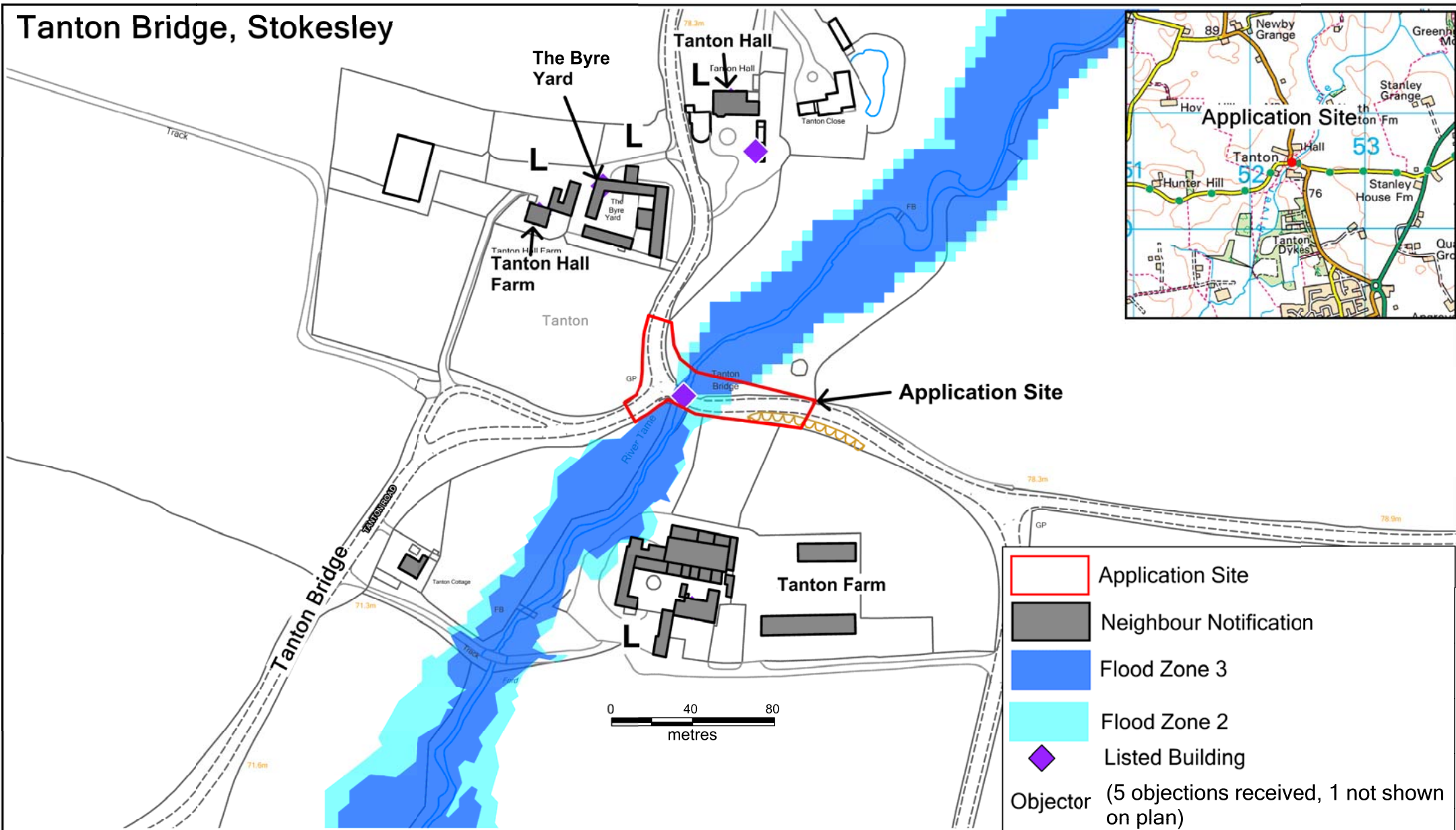
VICKY PERKIN
Head of Planning Services
Growth, Planning and Trading Standards

Author of report: Amy Taylor

Background Documents to this Report:

1. Planning Application Ref Number: C2/18/01581/CCC (NY/2018/0151/FUL) registered as valid on 18 July 2018. Application documents can be found on the County Council's Online Planning Register by using the following web link:
<https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

Tanton Bridge, Stokesley



Application No : C2/18/01581/CCC

Title: widening of Tanton Bridge (Grade II Listed), construction of new abutments and arch wing, spandrel wall, wingwalls and parapet and dismantling and rebuilding of all sections of parapet using existing stone, erection of 1.4 metre high 4 post and rail fence and soft landscaping works at Tanton Bridge, Stokesley, North Yorkshire, TS9 5JT



Business &
Environmental Services,
North Yorkshire
County Council
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Scale : 1:1250

Date : April 2019

Filename : Tanton Bridge

Compilation & Analysis : AT/JB

North Yorkshire County Council

Planning and Regulatory Functions Committee

02 April 2019

Items Dealt With under the Scheme of Delegation

Report of the Corporate Director – Business and Environmental Services

**The Items reported below have been determined between:
28 January 2019 to 03 March 2019 Inclusive**

A. County Council Development

NY/2019/0037/NMT

**County Hall, North Yorkshire County
Council, Racecourse Lane, Romanby,
DL7 8AD**

Decision Notice: 26 February 2019

Application for a non-material minor amendment to increase the fence height from 1.8m to 3.08m, extend the width of the fenced compound area by 300mm, external lighting and handrail to emergency exit and external doors to be changed to green with a brown frame which relates to planning permission C2/18/01950/CCC

Details APPROVED

NY/2019/0001/A27

**Willow Tree Community Primary School,
Wetherby Road, Harrogate, HG2 7SG**

Decision Letter: 05 February 2019

Application for approval of details reserved by condition No. 3 of Planning Permission Ref. C6/18/03983/CMA which relates to a Landscape and Environmental Management Plan

DETAILS APPROVED

C8/2019/1430/CPO (NY/2018/0246/FUL)

**Barlby Bridge Community Primary
School, Thomas Street, Barlby, Selby,
YO8 5AA**

Decision Notice: 07 February 2019

Erection of a single storey classroom extension (40 sq. metres), 2 No. wall mounted fixed lighting, wet pour surfacing and paving (75 sq. metres)

PLANNING PERMISSION GRANTED subject to conditions

C3/18/01385/CPO (NY/2018/0232/FUL)

**Nawton Community Primary School,
School Lane, Nawton, Helmsley, YO62
7SF**

Decision Notice: 12 February 2019

demolition of an existing single storey temporary classroom unit (78m²), installation of a single storey permanent classroom unit (171 sq. metres), heat pump units, 8 no wall mounted external lighting, 1 no. external stair, footpaths, removal of trees and hard landscaping (112m²) and soft landscaping

PLANNING PERMISSION GRANTED subject to conditions

C6/18/04787/CMA (NY/2018/0218/FUL)

Grove Road Community Primary School, Grove Road, Harrogate, HG1 5EP

Decision Notice: 27 February 2019

retrospective planning application for the temporary siting (duration 5 years) of a double decker bus with decking (64.69 sq. metres in total)

PLANNING PERMISSION GRANTED subject to conditions

C5/2018/19887/NYCC (NY/2018/0214/FUL)

Water Street CP School, Elliot Street, Skipton, BD23 1PE

Decision Notice: 28 January 2019

Replacement of 2 external windows, creation of access door, construction of 2 external steps including retaining walls, widening of existing footpath, soft and hard landscaping works

PLANNING PERMISSION GRANTED subject to conditions

B. County Matter Development

NY/2019/0004/SCO

A59 Blubberhouses village to Kex Gill and Blubberhouses Quarry area

Scoping Opinion Issued: 15 February 2019

Request for an EIA Scoping Opinion for proposed re-alignment of A59

SCOPING OPINION ADOPTED

C8/2017/1230/CPO (NY/2017/0268/ENV)

Newthorpe Quarry, Newthorpe, Sherburn in Elmet

Decision Notice: 26 February 2019

4 hectare northern extension to the existing limestone quarry, erection of site offices/amenity block (74.3 sq. metres), weighbridge, weighbridge office (9.6 sq. metres), generator cabin (6 sq. metres), and mobile processing plant and stockpile area

PLANNING PERMISSION GRANTED subject conditions

C8/59/43/PA (NY/2017/0266/MRP)

Newthorpe Quarry, Newthorpe, Sherburn in Elmet

Decision Notice: 26 February 2019

Review of Mineral Permission C8/59/11C/IDO dated 22 September 1993 (application accompanied by an Environmental Statement)

PLANNING PERMISSION GRANTED subject to conditions

NY/2015/0136/A27

**The Maltings, Turpin Lane, South
Milford, Selby, LS25 5FP**

Decision Letter: 29 January 2019

Application for the approval of details reserved by condition No's 5, 6, 7 & 9 of Planning Permission C8/57/530/PA which relates to Private access/verge crossings construction requirements, visibility splays, approval of details for works in the highway and precautions to prevent mud on the highway

DETAILS APPROVED

NY/2017/0163/A27

**The Maltings, Turpin Lane, South
Milford, Selby, LS25 5FP**

Decision Letter: 29 January 2019

Application for the approval of details reserved by condition No. 21 of Planning Permission Ref. C8/57/530/PA which relates to a highway condition survey

DETAILS APPROVED

C2/18/02469/CCC (NY/2018/0224/FUL)

**Leeming Bar Waste Water Treatment
Works, Northallerton, DL7 9RU**

Decision Notice: 07 February 2019

erection of two Glass Reinforced Plastic ('GRP') rectangular kiosks (combined total of 45.5 external square metres) and erection of 2.4 metre high fence

PLANNING PERMISSION GRANTED subject to conditions

To access the planning application details, consultation responses and a copy of the report and decision notice containing any planning conditions relevant to the development please access the County Council's Online Planning Register at the following web address:
<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx>

(Please enter the planning application reference number (NY/...) into the 'Application Reference' field).

DAVID BOWE

Corporate Director – Business and Environmental Services

Author of Report: Beth Strangeways

Background Documents: None