Case No. 18/05293/OUTMAJ  Item No. 02

Location: Land Comprising Field At 439417 467708, Leeming Lane, Boroughbridge, North Yorkshire,

Proposal: Outline planning application for the erection of up to 175 dwellings with public open space, landscaping and sustainable drainage system (SuDS) with access considered.

Applicant: Gladman Developments Ltd

Access to the case file on Public Access can be found here: view file

Reason for report: This application is to be presented to the Planning Committee because the development is for more than 49 dwellings.

SUMMARY

The application is for a development of 175 dwellings to the north of Boroughbridge. The site is un-allocated in the local plan and lies outside of the development limit of Boroughbridge as defined in the emerging Local Plan.

Given the “significant weight” that can now be given to the emerging Local Plan, the application site, being beyond the development limit would result in significant landscape harm reducing the gap between Kirby Hill and Boroughbridge, leading to coalescence of those settlements.

The proposal fails to achieve the social and environmental strands of sustainable development as required by the NPPF and is recommended for refusal.

RECOMMENDATION: Refuse
1.0 SITE DESCRIPTION

1.1 The application site lies to the north of Boroughbridge, situated between the B6265 Leeming Lane to the west and Dishforth Road to the east. The site comprises part of a larger field and measures 13.05ha in size. The field is currently in use for agriculture.

1.2 To the south of the site is an established tree belt, protected under TPO 19/00004/TPORDR. Beyond that lies the recently constructed Hockley Croft estate.

1.3 To the south-west of the site is Listers Farm shop and a small group of dwellings.

1.4 To the west planning permission has been granted for residential development on the former poultry farm (17/03952/FULMAJ) for 34 dwellings with a further 63 dwellings approved (subject to a s106 agreement) to the south at Skelton Road (18/05001/FULMAJ). A children’s play area and playing fields lie directly to the west of the site with the urban edge of Kirby Hill adjacent.

1.5 Fields lie to the north between the site and Kirby Hill, with the landform rising northward. Fields lie to the east. Power cables cross the north-western corner of the site.

1.6 A public right of way runs from Leeming Lane to Milby Road, between the tree belt and Hockley Croft. A further public right of way bisects the application site north-south, running from Hockley Croft to Kirby Hill.

2.0 PROPOSAL

2.1 The application is for outline planning permission for 175 dwellings with public open space, landscaping and sustainable drainage systems. Only access is to be considered at this stage.

2.2 Access to the site is shown from Leeming Lane, to the north of the existing dwellings on Leeming Lane. The indicative plan submitted shows a loop road within the site.
2.3 The indicative plan shows areas of lower density development to the north and eastern edges of the site. A Sustainable Urban Drainage feature is shown to the south-eastern corner of the site.

2.4 The northern section of the site is shown as an area of public open space, identified by the applicant to “respect the setting of Kirby Hill and further improve the Site’s habitats and biodiversity value”. Informal footpaths and areas of planting, including an area of woodland and trees are indicated.

2.5 The existing public right of way through the site is to be retained and incorporated within a green corridor and areas of public open space. Gaps are shown through the woodland belt to provide new pedestrian linkages to the footpath to the south.

3.0 APPLICANT’S SUPPORTING INFORMATION

3.1 The application is accompanied by the following documents.

- Planning Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Archaeological Assessment
- Heritage Desk Based Assessment
- Geo-Environmental Appraisal
- Air Quality Assessment
- Landscape and Visual Impact Assessment
- Ecological Survey
- Arboricultural Impact Assessment
- Tree survey
- Flood Risk Assessment
- Statement of Community Involvement
- Foul Drainage Analysis
4.0 RELEVANT HISTORY

4.1 There is no relevant planning history for this site.

5.0 NATIONAL & LOCAL POLICY

5.1 National Planning Policy

The National Planning Policy Framework July 2018 (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

5.2 Core Strategy

Policy SG4 Settlement Growth: Design and Impact
Policy C1 Inclusive communities
Policy EQ1 Reducing risks to the environment
Policy EQ2 The natural and built environment and green belt
Policy TRA1 Accessibility

5.3 Harrogate District Local Plan (2001, As Altered 2004)

Policy H5 Affordable Housing
Policy HD13 Trees and Woodlands
Policy HD20 Design of New Development and Redevelopment
Policy C2 Landscape Character
Policy R11 Rights of Way

5.4 Harrogate District Local Plan (emerging, 2019)

Policy CC1 Flood Risk and Sustainable Drainage
Policy CC3 Renewable and Low Carbon Energy
Policy CC4 Sustainable Design
Policy GS1 Providing New Homes and Jobs
Policy GS2 Growth Strategy to 2035
Policy GS3 Development Limits
Policy HP2 Heritage Assets
Policy HP3 Local Distinctiveness
Policy HP4 Protecting Amenity
Policy HS1 Housing Mix and Density
Policy NE4 Landscape Character
Policy NE5 Green Infrastructure
Policy NE7 Trees and Woodlands
Policy NE9 Unstable and Contaminated Land
Policy TI1 Sustainable Transport
Policy TI3 Parking Provision
Policy TI5 Telecommunications

5.5 Supplementary Planning Documents
Landscape Design Guide
Landscape Character Assessment of Harrogate District
Biodiversity Design Guide
Residential Design Guide
Provision for Open Space in Connection with New Housing Development
Provision for Village Halls in Connection with New Housing Development

5.6 Other material policy considerations:

5.7 Planning Practice Guidance
6.0 CONSULTATIONS

6.1 Heritage Unit of NYCC - A Heritage Assessment and geophysical survey has been carried out which has identified a complex of anomalies consistent with later Prehistoric or Roman settlement. These features as significant as they form part of the immediate hinterland of the Roman Town at Aldborough. A scheme of archaeological evaluation is recommended to be undertaken including trial trenching and it is recommended that this is carried out prior to determination of the application.

6.2 Northern Powergrid - Records Information Centre - No comments received.

6.3 Historic England - No objection but have concerns that the proposal will detract from the Boroughbridge Conservation Area. The greenspace to the north of the site is critical to maintain the physical and visual separation of Kirby Hill and Boroughbridge and should be retained in the event of any permission. Advise that pre-determination archaeological evaluation is required to test the results of the survey in order to inform any further archaeological work and subsequent site layout, if minded to grant consent.

6.4 Housing Department - The site falls under Saved Policy H5 and if deemed suitable for development 40% of the units would be required as affordable housing, subject to financial viability. The standard housing condition is recommended.

6.5 NYCC Lead Local Flood Authority (SuDS) - Recommends further information be provided prior to grant of any approval. Additional information has been provided by the applicant and is under consideration. Any amended consultation response received will be reported at Planning Committee.

6.6 NYCC Highways And Transportation - Further information is required from the applicant with respect of junction assessment outputs, stopping sight distances for the design, a ghost island right hand turn junction will be required. The Travel Plan is satisfactory. The applicant has been asked to address these comments.
6.7 **EHO Contaminated Land** - Conditions are requested covering:

- contaminated land
- provision of electric vehicle charging points
- provision of a noise report
- hours of operation and dust and noise management plan

6.8 **Swale And Ure Drainage Board (Includes Claro)** - The application lies outside of the IDB area but may cause additional discharge into the IDB. Comments made regarding the disposal of surface water. Additional information in response to these comments has been provided by the applicant and further comment from the IDB is awaited.

6.9 **Police Architectural Liaison Officer** - Comments made regarding design solutions that will help reduce vulnerability to crime. Recommend that if the application is approved that it includes an informative stating that the applicant should consider the suggestions made by the Police Designing Out Crime Officer and should provide written details in any future application, of how the issues raised in the Designing Out Crime report are to be addressed.

6.10 **Environment Agency - Dales Area Office** - No response received.

6.11 **County Education Officer** – A contribution of £186,945.00 is required towards education provision at Kirby Hill CE Primary School. No contributions are required towards secondary school provision at this time as there is currently surplus capacity at Boroughbridge High School.

6.12 **DCS - Open Space** - A commuted sum comprising £141,220.50 for Provision of Open Space Facilities, £299,925.00 for Provision of Village Halls and for onsite provision £529,094.42 will be required.

6.13 **Yorkshire Water** - Comments provided and conditions recommended.

6.14 **Footpath Officer - NYCC** - Recommend an informative regarding the protection of the existing Public Rights of Way across the site.
6.15 Harrogate Bridleways Association - No comment received.

6.16 Ramblers Association - Objects on the planning grounds set out below:

This application for development is contrary to the Local Plan. There is no need for this development, the developers are failing to develop the adjacent site (Hockley Croft 657.66 OUTMAJ) as we understand there is insufficient demand for the proposed dwellings.

Any rerouting of footpath 19.94/4/1 will inevitably mean the path will cross a built up area, and this will seriously affect those who wish to walk in the area and enjoy the present open aspects over the countryside, and those who wish to use a means of access on foot from Kirkby Hill to the amenities of Boroughbridge.

Kirby Hill and Boroughbridge will almost amalgamate to become one urban area with consequential lack of amenity for all residents.

7.0 VIEWS OF THE PARISH COUNCIL

7.1 Kirby Hill incorporating Milby Parish Council object to the proposal for the following reasons:

1. Over-development and unsustainable growth of Boroughbridge

2. Site not allocated in the Local Plan

3. Convergence of settlements - Kirby Hill and Boroughbridge

4. Inadequate sewerage infrastructure

7.2 Langthorpe Parish Council objects on the following grounds:

- Contrary to the local plan as site not allocated.

- Development would cause convergence of Boroughbridge and Kirby Hill

- no transport or employment infrastructure in Boroughbridge to support the development

- harm to visual character of area

- overdevelopment of the area
- over provision of housing in the area
- loss of productive farmland
- increased pressure on sewerage system
- consider no meaningful public consultation has taken place by developer

8.0 OTHER REPRESENTATIONS

9.0 60 representations have been received objecting to the proposal on the following grounds:

- site lies outside the development limits of Boroughbridge
- the proposal will result in coalescence of Kirby Hill and Boroughbridge
- it is an un-allocated site
- Boroughbridge has already received a significant proportion of new development
- Harrogate has a 5 year land supply, there is no need for more houses
- it will result in over-development of local area
- proposal is unsustainable as occupiers will need to commute by car to employment locations, poor public transport links
- detrimental impact on local services/schools/infrastructure
- loss of valuable agricultural land
- existing construction sites already causing major issues with traffic disruption, noise and flooding of local roads
- proposal would be detrimental to the landscape
- there has been no consultation with local community (especially Kirby Hill)
- existing foul drainage at capacity, additional dwellings will add to pressure
- detrimental to the character and nature of Kirby Hill
- field already subdivided in advance of application
- detrimental ecological impact
- removal of trees in tree belt
- access unsafe as opposite playground, Leeming Lane already at capacity
- impact on dark skies
- increased air pollution from vehicles
- impact on conservation area
- contrary to the NPPF

10.0 ASSESSMENT

10.1 Sustainability

10.2 The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: social, environmental and economic.

10.3 SOCIAL SUSTAINABILITY

10.4 Housing Land Supply

10.5 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement with an appropriate buffer. It is considered that the Council has a 6.89 years land supply as of April 2019. For the purpose of determining planning applications it is therefore the Council’s position that there is a five year supply of deliverable housing land and, whilst this needs to be maintained with further approvals where appropriate, the presumption in favour of sustainable development in Paragraph 11 of the NPPF is not triggered on the basis of the land supply position alone.

10.6 However, the Council’s adopted policies for the supply of housing contained within the current Local Plan/Core Strategy and associated development limits are out-of-date and can be given no more than limited weight. This means that Paragraph 11 of the NPPF and the presumption in favour of sustainable development is engaged on this basis. The paragraph states that development proposals should be approved unless policies in the NPPF
that protect assets of particular importance provide a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. This is known as the ‘tilted balance’.

10.7 Paragraph 48 of the NPPF advises that increased weight can be given to emerging Local Plan policies as they progresses towards adoption. Case law establishes that it is for the decision maker (the Council) to decide what weight to apply to any particular factor. In light of the ‘significant’ weight that can be given to the emerging Local Plan (which includes development limits that meet the housing needs of today and the future), alongside a healthy land supply position this does materially impact on the tilted balance. Bearing in mind that the primary purpose of the tilted balance was to ensure that outdated plans did not inhibit development that is needed to meet today’s needs, the fact that the Council can demonstrate a healthy land supply position significantly undermines the justification of applying the tilted balance such that ‘harm’, as opposed to ‘significant and demonstrable harm’ may provide sufficient grounds to merit the refusal of an application.

10.8 The site lies outside of the draft development limit of Boroughbridge, as set out in Policies GS2 and GS3 of the emerging Local Plan. The site is not a draft allocation.

10.9 Draft local plan policy GS3 is only permissive of housing development beyond a development limit in locations where there are not any housing allocations in the settlement and there is a lack of a 5 year housing land supply. Therefore, the location of this site beyond the development limit, together with identified harm weighs significantly against the proposal in terms of social sustainability.

10.10 Affordable Housing

10.11 The proposal includes the provision of affordable housing at 40%, subject to viability. The proposal meets the target as required under Saved Policy H5 and the Housing Officer supports the proposal.
10.12 ENVIRONMENTAL SUSTAINABILITY

10.13 Landscape

10.14 Core Strategy Policy SG4 requires that visual amenity is protected and that the environmental impact and design of development conforms to Policies EQ1 and EQ2. The latter is the more relevant here as it seeks to ensure that the District’s exceptionally high quality natural and built environment is given the level of protection it deserves.

10.15 Saved Local Plan Policy HD20 requires new development be designed with suitable landscaping as an integral part of the scheme.

10.16 Saved Local Plan Policy C2 is a more general policy, having a requirement that development should protect existing landscape character. The site is located to the north of Boroughbridge and comprises arable farmland. The site is situated in Landscape Character Area (LCA) 81: Dishforth and surrounding farmland and forms part of a large-scale arable landscape that extends from Kirby Hill to the edge of the District. The area is pleasant and particularly valued for its views into the North York Moors to the west, which are incorporated in LCA guidelines:

‘New development must take account of openness and views and should not impact upon these valued characteristics…….’

Large-scale development cannot be easily accommodated without further detriment to landscape character.

10.17 A public footpath is routed north-south through the centre of the site connecting with Kirby Hill in the north.

10.18 The proposal is for up to 175 residential dwellings with areas of associated public open space concentrated particularly along the northern edge of the site. The development would border the B6265 Leeming Lane in the west from which vehicular site access would be gained. The application states that new housing would comprise mainly of two storey dwellings.
A Landscape and Visual Impact Assessment (LVIA) submitted with the application considers the impact of the development on landscape character and visual amenity.

LVIA Para 5.5 states that the development ‘is well related to the existing development to the south’. However it considered that this is not the case. The linear woodland belt that separates the application site from Hockley Croft to the south forms a robust edge between the extent of the urban form of Boroughbridge and the rural landscape below. Notwithstanding the gaps that have been created through that woodland belt (prior to any planning consent) it remains a distinct edge to the settlement when viewed from the north and east.

The proposal site lies beyond this robust settlement edge. The Development Framework Plan shows a 40m wide open space buffer, with footpath links, on the southern side of the development, however there is no interconnected built form shown between the proposed site and the Hockley Croft development. This will isolate the proposed development from Hockley Croft.

LVIA Para 5.9 states that ‘new housing would not appear incongruous and the site has a reasonably good ability to accommodate development without resulting in significant adverse effects on the wider countryside’. It is considered however that the quantum of development proposed would result in substantial adverse effects on landscape character and visual amenity through the urbanising of this large-scale arable landscape.

The application site extends north to a point where it meets the southern edge of Kirby Hill, which lies on the opposite side of Leeming Lane. The north section of the site is shown as forming a landscape buffer comprising public open space, tree and hedge planting and informal footways in order to “respect the setting of Kirby Hill”. It is considered however that the proposal would effectively result in perceived built form coalescence of these settlements. This is contrary to the provisions as set out in draft policy GS3 of the emerging Local Plan.
10.24 Only 2 fields would separate the site from the village to the north. Although it is noted that a landscape buffer is proposed the buffer includes greenspace, areas of tree planting and informal footpaths, considered to be uncharacteristic to this arable landscape.

10.25 The landform rises north to Kirby Hill, resulting in the site being even more prominent in wider views, in particular from the public right of way that leads from the village to the site. Whilst Hockley Croft is visible, it is contained and screened behind the tree belt. Even with the proposed mitigation, the appeal proposal will be highly visible when viewed from the north.

10.26 It is noted that prior to submission of the application that the applicant subdivided the field, fencing the boundary and has planted a hedge on that boundary. It is also noted that gaps were created through the tree belt, in the same positions as those indicated on the development parameters plan, to the footpath to the south. Subsequently the tree belt has been protected under a tree preservation order.

10.27 There is a landscape objection to the development of this site due to the quantum of development proposed which could not be successfully mitigated in landscape terms. The proposed mitigation measures to provide a wide landscape buffer between proposed built form within the site and Kirby Hill to the north would not be sufficient to prevent the perception of built form coalescence and would contribute to the reduction in the sense of openness within the locality. In terms of effects on landscape character these are judged to be substantial adverse. With regard to visual amenity, views from public footpaths particularly from Kirkby Hill to the north are also judged to be substantial adverse.

10.28 The proposal is contrary to Saved Policy C2 of the Local Plan

10.29 Impact on Heritage Assets

10.30 The site is not covered by any statutory heritage designations. The northern edge of the Boroughbridge Conservation Area boundary lies approximately 160m south of the site. There are a number of Grade II listed buildings within 1km of the site: The Maltings and Station House to the south; The
Vicarage and milestone to the south of The Blue Bell public house within Kirby Hill. All Saints church at Kirby Hill, a Grade I listed building, lies approximately 0.8km from the site. The Battle of Boroughbridge registered battlefield lies to the south-east.

10.31 It is not considered that the proposed development will result in harm to those listed buildings, primarily because of heavy screening by existing built form. Views between the application site and the Battle of Boroughbridge registered battlefield and Boroughbridge Conservation Area are also largely screened through recent development and the harm resulting from the proposed development is not considered to be harmful to those designated heritage assets.

10.32 Archaeological investigation of the site has identified requiring further evaluation prior to any consent being granted. No further archaeological investigation of the site has been undertaken by the applicant.

10.33 Amenity - impact on existing and proposed residents

10.34 The layout, scale and appearance of the development are to be considered at reserved matters where the impact of the development on neighbouring residential amenity as well as amenity within the site will be considered.

10.35 It is not considered that the proposal would have a detrimental impact on the amenity of occupiers of Hockley Croft to the south.

10.36 A buffer has been provided to the rear of Listers Farm Shop and the adjacent row of dwellings. The impact of the proposed development on those dwellings would be carefully considered.

10.37 Public Rights of Way

10.38 The site is bisected north-south by public footpath 15.94/4/1, which links Kirby Hill to footpath 15.94/3/1 which runs to the south of the site. The application will retain footpath 15.94/4/1 however it will run across the application site in a narrow green corridor, crossing the internal loop road in two locations. Mitigation is proposed to the north of the site as the footpath runs through public open space however fundamentally the character of this
footpath will change from being within an exposed, arable farmland environment to a significantly more urban nature.

10.39 The character of the southern footpath (15.94/3/1) will also change. Whilst there is already an impact on this footpath from the Hockley Croft development, the retention of the woodland tree belt has contained the footpath and given it an enclosed character. The punching of holes within the tree belt will provide increased access to the public rights of way network, however this will serve to increase the urban feel of this footpath.

10.40 It is considered that the proposal would have a detrimental impact on the amenity and recreational value of the two public rights of way, contrary to Saved Policy R11.

10.41 Highways

10.42 Access to the site is shown from Leeming Lane with a loop road within the site. A footpath to the south of the site will connect to the farm shop and from there to a footway provided along the frontage of Hockley Croft. Pedestrian access is also to be obtained via the public footpath to the south.

10.43 A Transport Assessment and Travel Plan have been submitted with the application and considered by the Highway Authority. The Highway Authority has requested further information from the applicant in respect of junction assessment outputs, stopping sight distances for the design, a ghost island right hand turn junction will be required. The Travel Plan is satisfactory.

10.44 The applicant has been asked to address these comments however at the time of writing the report no further information had been received.

10.45 Trees

10.46 To the south of the site the established tree belt forms a robust visual boundary. Following the creation of gaps within the tree belt, prior to submission of the application, a woodland tree preservation order now covers the trees (19/00004/TPORDR). A Tree Survey and Arboricultural Assessment were submitted in support of the application.
10.47 The woodland comprises mainly native species of visual importance increasing over time. The Arboricultural Officer considers that the importance of the woodland and principal trees has been downgraded in the tree survey in order to provide access between the site and the public footpath. There is an arboricultural objection to the proposal as it is considered that an alternative access would result in less of an impact. The proposal is contrary to Saved Policy HD13.

10.48 Ecology

10.49 The Ecological Impact Assessment submitted in support of the application states that the site presently comprises an arable field with small areas of amenity grassland and species poor semi-improved grassland in the south-west corner of the site. It states that the proposal reeks to retain hedgerows and plantation woodland, referring to the woodland tree belt to the south, although the woodland has been compromised by recent felling, prior to the ecological assessment being made.

10.50 Other than the woodland tree belt the survey found the habitats present to be of generally low ecological value, with any losses being adequately compensated for by the proposed provision of green infrastructure within the new development, including public open space, new planting and a Sustainable Urban Drainage feature with wet grassland. The tree survey shows that 2 semi-mature trees and 50 meters of hedgerow are proposed to be removed to provide access. The trees have been found not to support any bat roosting potential.

10.51 The Principal Ecologist recommends that access arrangements should be reconsidered to avoid tree loss but notes that compensatory planting of native trees and shrubs will be required to be provided within the landscaping scheme to compensate for any losses.

10.52 There is no objection to the proposal on ecological grounds provided that mitigation against harm to biodiversity during construction and the proposed ecological enhancements indicated within the development framework plan are secured by condition.
10.53 Loss of Agricultural Land

10.54 The application site is identified as grade 1 with the Agricultural Land Classification. At 13.05ha the development of this land for housing would not be considered to represent the “significant” loss of agricultural land as set out in paragraph 171 of the NPPF.

10.55 Drainage

10.56 The site lies in Flood Zone 1 (lowest risk of flooding). Yorkshire Water, NYCC Local Lead Flood Authority and the Council’s Land Drainage Officer have no objection to the proposed drainage strategy and recommend conditions requiring the approval of surface water drainage to be approved. It is not therefore considered that the proposal will increase flood risk.

10.57 Representations have been made to the proposal on the grounds of inadequate drainage in the area, Yorkshire Water note there are approximately 1000 new homes either with planning permission or allocated within the local plan. They are currently undertaking a Drainage Area Plan for Boroughbridge that includes sewer modelling, and that modelling will inform the work required on the sewer network to accommodate growth in the area and what works will be required at the receiving waste water treatment works. Yorkshire Water have recommended phasing conditions which will enable a holistic approach to be taken with regards the drainage of the site.

10.58 Whilst there is recognition by Yorkshire Water of existing problems with drainage capacity they have not raised an objection to the proposal on drainage grounds.

10.59 ECONOMIC SUSTAINABILITY

10.60 The proposed development will provide jobs and investment into the local economy during the construction phase, as well as continuing investment into the local economy from future occupiers, over the life of the development. Given the scale of the development, it is considered that the impacts on the economy of the District as a whole would be relatively
modest. Nevertheless, the economic impacts constitute a positive impact which should be given some weight in the assessment of the proposal.

11.0 OTHER MATTERS

11.1 Community Consultation

11.2 In line with the Council’s guidelines the applicant has consulted with stakeholders and local residents. Leaflets were sent to 450 households and businesses and a press advert was placed in December 2018. 13 responses were received. The applicant also met directly with Langthorpe and Kirby Hill Parish Council’s as well as Boroughbridge Town Council. A website for the proposed development was also created.

11.3 The Statement of Community Involvement sets out details of the consultation. The applicant states that comments received as part of the consultation have been taken into account in this application.

12.0 PLANNING BALANCE & CONCLUSION

12.1 Given the “significant weight” that can be attached to emerging local plan, paragraph 48 of the NPPF is material and the ‘tilted balance’ changed such that the application site being beyond the development limit of Boroughbridge is a significant negative feature. This is strengthened the harm caused to the landscape character and resulting coalescence of the settlements of Boroughbridge and Kirby Hill, and the detrimental impact that the proposal would have on the character of existing public rights of way. The proposal consequently fails to achieve the social and environmental strands of sustainable development and the harm demonstrably outweighs the benefits of the proposal such that it does not represent sustainable development. This is a material consideration, which weighs against the proposed development.

12.2 The proposal also would not accord with the development plan.

12.3 There are consequentially no material considerations of sufficient weight to warrant the planning permission being granted.
12.4 The application is recommended for refusal.

13.0 **RECOMMENDATION**

13.1 That the application be **REFUSED**

The proposed site lies beyond the development limit for Boroughbridge as set out in the emerging Harrogate District Local Plan and a current 5 year land supply exists. The size and scale of the development would result in coalescence of Boroughbridge and Kirby Hill, resulting in significant adverse effects on landscape character, harm to the character and appearance of those settlements, and harm to the amenity and recreational value of the public rights of way which bisect and run to the south of the site. The application fails to achieve the social and environmental strands of sustainable development set out in the NPPF and is contrary to Policies EQ2 and SG4 of the Harrogate District Core Strategy and saved policies C9, HD20 and R11 of the adopted Harrogate District Local Plan.

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*In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Chief Planner has delegated authority to do so in consultation with the Chairman of the Planning Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.*

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Case Officer: Linda Drake

Expiry Date: 19 July 2019