Case No. 20/00907/OUT  Item No.02

Location: Land Comprising Field At 420287 459440, Walker Lane, Darley, North Yorkshire,

Proposal: Outline application for the erection of 9 no. dwellings with access and layout considered (Revised scheme)

Applicant: Hollings & Robinson

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 it has been referred by the Local Ward Member due to concerns regarding the over bearing impact on the Nidderdale AONB; the site has been deleted from the Local Plan and that the project would have an impact on the countryside to the rear of Low Green.

SUMMARY: This is a site that falls outside the development limits for Darley and seeks consent for 9 market houses with access from Meadow Lane. The site represents greenfield development on a site that is located in a prominent location within the Nidderdale Area of Outstanding Natural Beauty when viewed from southern approaches into the village and from the local Darley Heritage Trail.

Areas of Outstanding Natural Beauty are given the strictest protection by both the National Planning Policy Framework and the adopted Local Plan (Policy GS6).

The Council have a 5 year housing land supply and up to date housing policies. There is not a proven need, nor in the public interest to support addition dwellings in this locality. It is considered that in the absence of any special circumstances to support the development of 9 dwellings in the open countryside, there is an objection in principle to the development. In the absence of such need or justification, to set aside the harmful impact of development, it is considered that the scheme fails to conserve or enhance the character of the AONB. The scheme makes a small contribution towards the economic, social strand of sustainability but is outweighed by the
environmental harm to the AONB.

RECOMMENDATION: Refuse
1.0 SITE DESCRIPTION

1.1 Darley is located in Nidderdale, between Pateley Bridge and Harrogate. Pateley Bridge town centre is approximately 6.5 miles to the northwest, which provides a range of retail, community/leisure facilities, and other services.

1.2 The application site comprises approximately 0.85 ha (2.10 acres) to the south east of Meadow Lane and currently forms grazing land located beyond the existing built edge of the village.

1.3 The site is undeveloped and is bound by residential development to the north with a drain interspersed with hedgerow tree planting to the east. Local topography is such that the land form slopes down in a general south to north direction towards the main body of the village.

2.0 PROPOSAL

2.1 The application is submitted in outline form and seeks the residential development of the land for 9 No. dwellings, with access and layout considered. The supporting Design and Access statement identifies that the units are to be of two storey construction. Access to the site is to be gained via Meadow Lane.

2.2 The supporting information indicates a layout that extends the existing Meadow Lane cul–de-sac into the site with a turning head located at the eastern edge of the site. The 9 units are to be arranged to the northern side of the road, with the exception of a detached unit that is located to the south upon immediate entry into the site. The dwellings comprise a mix of detached and semi-detached units comprising 3 and 4 bedroom accommodation. An area to the eastern corner of the site is annotated to be landscaped open space, whilst an area to the south remains as an unspecified use.

2.3 The application represents a reduced scheme of development following the refusal of application 18/05181/OUTMAJ on a larger portion of the site for up to 60 dwellings in 2019 (see site history).

3.0 APPLICANT'S SUPPORTING INFORMATION

3.1 The application is supported with the following documents:
Application form and site location plan
Sketch Site Layout
Design and Access Statement
Flood Risk Assessment
Ecological Survey
Tree Survey
Topographical Survey
Highway Technical Notes

4.0 RELEVANT HISTORY

18/05181/OUTMAJ : Outline Application for the erection of 60 dwellings with access considered: REFUSED 20.09.2019 for the following reasons:

The proposed site lies beyond the existing and proposed development limit for Darley as set out in the Harrogate District Local Development Framework Score Strategy Policy SG2 and SG3, the emerging Harrogate District Local Plan and a current 5year land supply exists. Given the significant weight that is being given to the emerging Local Plan, in isolation the site relates poorly to the existing settlement and development of the site for residential use would result in harm to local landscape character and disrupt existing settlement pattern. The scheme is thus considered contrary to the provisions of Core Strategy Policies SG2, SG3 and SG4 and the emerging Local Plan Policies Policy GS3.

The proposed development would harm the landscape of the Nidderdale AONB contrary to Core Strategy Policy EQ2, Saved Local Plan Policy C1 and Emerging Local Plan Policy GS6. The proposal represents major development in the AONB, and in the absence of any exceptional circumstances identified by paragraph 116 of the NPPF, to warrant approval in the public interest, the resultant harm to the environmental strands of sustainability outweighs any social benefit of housing provision.

5.0 NATIONAL & LOCAL POLICY

5.1 National Planning Policy

5.2 The National Planning Policy Framework as amended June 2019 (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.

5.3 At the heart of the NPPF is a presumption in favour of sustainable development

5.4 Harrogate District Local Plan 2014-2035

- Policy GS1: Providing new homes and jobs
- Policy GS2: Growth Strategy to 2035
- Policy GS3: Development Limits
- Policy GS5: Supporting the District’s Economy
- Policy GS6: Nidderdale Area of Outstanding Natural Beauty (AONB)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing
- Policy HS5: Space Standards
- Policy DM1: Housing Allocations
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character
- Policy NE5: Green and Blue Infrastructure
- Policy NE7: Trees and Woodlands
- Policy NE9: Unstable and Contaminated Land
- Policy TI1: Sustainable Transport
- Policy CC1: Flood Risk and Sustainable Drainage
- Policy CC4: Sustainable Design
5.5 **Supplementary Planning Documents**

House Extensions and Garages Design Guide

Provision for Open Space in Connection with New Housing Development

Landscape Character Assessment of Harrogate District

Provision for Open Space in Connection with New Housing Development

Provision for Village Halls in Connection with New Housing Development

Darley Village Design Statement

5.6 **Other material policy considerations:**

Planning Practice Guidance

National Design Guide

Harrogate Borough Council Department of Community Services Air Quality Action Plan 2013 and Draft 2018

Harrogate Borough Council Housing Action Plan

Harrogate Borough Council Economic Growth Strategy 2017-2035

Harrogate Borough Council Statement of Community Involvement

6.0 **CONSULTATIONS**

6.1 **Natural England Sites Within AONB**

6.2 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory protected nature conservation sites.

6.3 The proposed development is for a site within, or close to a nationally designated landscape namely Nidderdale AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The
policy and statutory framework to guide your decision and the role of local advice are explained below.

6.4 The decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

6.5 Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

6.6 **Environmental Health**

6.7 Recommend the imposition of Conditions to deal with Ground Contamination and construction of the development

6.8 **NYCC Highways And Transportation**

6.9 No objection subject to controlling conditions to include the provision of traffic calming measures on Meadow Lane and an emergency access onto Walker Lane.

**7.0 VIEWS OF THE PARISH COUNCIL**

7.1 Darley Parish Council object to the application on the following grounds:
The development is on a green-field site outside of the development limits of the village, recently agreed within the Harrogate District Local Plan (the Local Plan) adopted in March 2020.

The site is within Site DR14 which was specifically removed from the Local Plan, on the recommendation of the Inspector, in order to conserve the landscape and scenic beauty of the Nidderdale Area of Outstanding Natural Beauty (AONB).

The National Planning Policy Framework offers protection to Areas of Outstanding Natural Beauty and there is also protection within a separate policy in the Local Plan. This development falls within the Nidderdale AONB.

This development would alter the traditional linear character of the village and go against the Village Design Statement.

The significant number of houses recently built (or approved) in the village (over sixty) is adequate - there is no clear need for more housing demonstrated either locally or within the Harrogate District and no justification for them within another other policies in the adopted Local Plan.

Harrogate Borough Council currently has a 5-year housing supply, so there should be no presumption of development approval.

The village does not have adequate transport links, road infrastructure, employment or local services (e.g. doctor’s surgeries) to support further development.

Access from Meadow Lane onto Main Street is unsuitable for a significant increase in vehicles (at least eighteen as per the Planning Application) and would be unsafe were this development to proceed. This is a narrow road currently serving a cul-de-sac and is congested with parked vehicles.

The proposed level of the site (i.e. raised above the houses on Meadow Lane) is likely to lead to the development over-bearing existing properties.

There are concerns remaining regarding drainage of surface water from the site (with recent examples of flooding of the proposed development site and adjoining gardens). Similar developments have been shown to detrimentally affect neighbouring properties by diverting surface water drainage routes.

The site is a habitat for wildlife including curlews.
The Parish Council expressed concern that many of the documents submitted are the same as those submitted with application 18/05181/OUTMAJ which was an application for 60 houses (refused by HBC in September 2019). Many of the statements such as referring to the ‘Emerging Local Plan’ are therefore out of date and must be ignored. Some diagrams still show the original 60 houses. Overall, this was not considered a coherent application.

The Council echoed the majority of local feeling that this application for development of a number of houses just below the recognised threshold of ten for major development should be strongly resisted.

8.0 OTHER REPRESENTATIONS

8.1 15 Individual representations, which can be summarised on the following grounds (full details are available on the Council web site):
Contradiction with the finding of the Local Plan Inspector, no exceptional circumstances to require additional houses. Continued over provision of dwellings.

Contradiction with the environmental and land use planning policy in the AONB, Contrary to National Planning Policy which gives the AON the highest protection, adopted local Plan Policy and the updated Darley Village Design Statement.

Harmful to the character and setting of the village and AONB.

HBC have a 5 yr housing supply and an adopted plan, so there is no longer a presumption in favour of development.

No employment opportunities within the village.

Destroys the character of the Darley Heritage Trail.

Limited bus service, over reliance upon the car.

Problems with drainage.

The supporting Design and Access Statement refers to a previous scheme and should be disregarded except for reference to access via Meadow Lane.

Accessibility and highway safety concerns. Meadow Lane is a narrow cul de sac with a sharp bend in the road giving limited visibility in both directions.

One letter signed by 140 people on the following grounds:

The site has been deleted from the Local Plan. With the Inspector stating that no further major development in Darley for the next 20 years. Cynical attempt to obtain consent for 9 houses more dwellings will follow.

No consideration towards the AONB. The landscape and character of Darley will be harmed. Darley is a liner village, this development isn't.

The development will take away the habitat for local wildlife.

Darley has had major development over eth last few years which has had a massive impact on the character of the village and local infrastructure i.e doctors, school, traffic increase, increasing flooding by removing green space etc.

9.0 ASSESSMENT
9.1 The site had formed part of an allocation site in the Emerging Local Plan but was deleted due to concerns raised by the Planning Inspector in relation to overprovision of allocated sites and the impact of such a large major development in the Area of Outstanding Natural Beauty. This is a standalone scheme for 9 houses on a significantly smaller area of land than that considered during the Local Plan process.

9.2 The application site lies adjacent to the settlement of Darley but falls outside the development limit for the village Darley is itself identified as a secondary village. The key test is whether there are any material considerations of sufficient weight to allow for support of a residential scheme located on land identified as countryside, lying within the AONB and contrary to the provisions of the development plan.

9.3 **Sustainability**

9.4 **SOCIAL SUSTAINABILITY**

9.5 **Housing Land Supply**

9.6 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The adopted Local Plan is the starting point for determination of any planning application.

9.7 The NPPF is a material consideration which at paragraph 11 requires local planning authorities:

9.8 (c) to approve development proposals that accord with an up-to-date development plan without delay; or

9.9 (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

9.10 (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

9.11 (ii) 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.
9.12 Paragraph 12 advises that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

9.13 The Harrogate District Local Plan 2014-2035 was adopted by Harrogate Borough Council on 4 March 2020. All the policies in the Local Plan can therefore be given full weight.

9.14 Material to the consideration of this application is the Local Plan and the 5 year land supply position. The Council’s Local Plan makes allocations of land and sets development limits to meet the housing needs of the district to 2035. Sites have been identified as allocations in the Local Plan as those that best deliver the Plan’s growth strategy. Development should therefore be directed toward these sites and other sites within development limits that accord with policies in the Local Plan. Proposals coming forward on other sites outside the development limits are unlikely to be viewed favourably.

9.15 In regard to 5 year land supply the Council has a healthy land supply position, currently 6.71 years when compared against the housing requirement, with an appropriate buffer. Accordingly, the policies which are most important for determining the application are not considered to be out-of-date. Full weight can be afforded to the housing policies in the Local Plan.

9.16 Affordable Housing

9.17 Policy HS2 of the Local Plan require 40% on site provision of affordable housing. Affordable homes must be well integrated within the development; the affordable homes should be in small clusters between the open market homes and not all in one area. 100% affordable cul de sacs are not acceptable and affordable homes should be visibly indistinct from market ones.

9.18 In this instance as the site falls below the threshold of 10 residential units, the affordable housing requirement will be collected by way of a commuted sum agreed through a S106 legal Agreement, should members be minded to approve the development.

9.19 The scheme thus provides for 100% open market dwellings on the site and adjacent to a village that has seen growth in a planned way through the provision of allocated sites within the now adopted local plan. The allocation of sites within the Local Plan will deliver the quantum of new homes needed.
over the plan period as identified within the Growth Strategy for the District (Policy GS1).

9.20 ENVIRONMENTAL SUSTAINABILITY

9.21 Character and Appearance

9.22 The site forms part of a larger site that extended to 2.94 hectares in area that was refused consent for up to 60 dwellings under Planning application reference 18/05181/OUTMAJ (see site history).

9.23 The larger site had formed part of an even larger residential allocation under DR14 as part of the emerging local plan process. Following the examination hearing sessions for the Local Plan held in January 2019 a number of changes were undertaken in the Publication Draft Harrogate District Local Plan. These changes came about as the Inspector had noted in March 2019 that the plan’s proposed housing requirement figure was aligned with the Borough’s Objectively Assessed Need (OAN) for housing. But as proposed there was a large excess of housing allocations over and above the level required to meet the housing requirement. It was accepted that site DR14 (amongst others in the AONB) would constitute major development in the Area of Outstanding Natural Beauty. National planning policy is clear that planning permission should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. The Inspector was not persuaded that such a test could be passed in relation to development proposals for these sites, particularly given that in some cases very significant, landscape harm likely to arise from them. As a consequence Site DR14 was removed as a site allocation within the main modifications and the development limit was realigned to take into account the sites removal in the Main Modifications Schedule (July 2019).

9.24 The site the subject of this application (which formed part of the larger DR14 draft allocation) thus now falls outside of the development limit for the village in the now adopted Local Plan.

9.25 Local Plan Policy GS1 identifies the need for some 13,377 homes over the plan period (HEDNA objectively assessed housing need of 637 dwellings per year), whilst Policy GS2 identifies the focus for such growth through the adoption of a settlement hierarchy. Darley is identified as a Service village in the hierarchy, where sites will be allocated to support the continued provision of facilities to maintain their continued sustainability.

9.26 Policy GS3 identifies development limits of those villages identified under GS2. Development limits have been drawn around the settlements set out in
policy GS2: Growth Strategy to 2035. Development limits are used to define the areas where specific plan policies will apply. They indicate the extent to which each settlement should be allowed to develop during the plan period and where, within the defined area, there will be a presumption in support of development. Any land and buildings outside the defined limit will generally be considered countryside where there is a stricter control over development.

9.27 Within development limits proposals for new development will be supported provided that they are in accordance with other relevant policies of the local plan. Outside development limits proposals for new development will only be supported where expressly permitted by other policies of this plan or a neighbourhood plan or national planning policy.

9.28 In this regard an assessment is required as to whether there are any other circumstances that would permit low density open market units outside the development limit.

9.29 Acknowledging that Darley is a service village and thus forms part of the settlement hierarchy supporting residential expansion, the local plan does allow for new housing development in such areas, but only in the absence of a five year housing land supply. Darley itself having numerous consented and allocated sites within the development limit to meet housing growth objectives.

9.30 As highlighted within the Housing Supply section, the Council has a 5 year housing supply and whilst there would be some benefit, in terms of the provision of commuted sums towards the provisions of affordable homes this would not, in the absence of need for additional open market units be offset by the Policy objection and resulting harm to the form and character of the settlement.

9.31 Local Plan policies HS1, HP3 and HP4 set out expectations of well-designed schemes. The 2019 NPPF also places greater emphasis on the importance of good design. In this respect it is necessary to ensure that that the scale, density, layout and design, should make the best use efficient use of land and (a) be well integrated with and complimentary to, neighbouring buildings and the spatial quality of the local area; and (b) be appropriate to the form and character of the settlement.

9.32 In this instance only layout is considered as part of the proposal. The layout extends the existing Cul de sac of Meadow Lane into the adjacent field, adding to the in depth development in the locality, contrary to the general linear grain of the village. The layout indicates 9 dwellings providing 3 and 4 bedroom accommodation. Local Plan Housing Mix Policy HS1 requires a good mix of dwelling types and sizes across the site. Policy HS1 refers to
the housing mix as set out in the HEDNA 2018 and expects new development to reflect this mix.

9.33 The HEDNA recommended mix for open market units is:

1-bed properties: 0-5%
2-bed properties: 30-35%
3-bed properties: 40-45%
4-bed properties: 20-25%

9.34 Whilst the suggested mix is reflective of the long term need for the District as a whole and should not be applied prescriptively to each site (there are variations across the District to relative need for size of accommodation). The HEDNA does identify in the Western Rural sub-area there is a notable gap in the supply of 2 and 3 bedroom properties. There is only limited demand for downsizing therefore there is no need to increase the delivery of smaller homes. The scheme whilst providing some 3 bed units is predominantly 4 bed units.

9.35 The suggested mix should also be brought together with information on appropriate density of developments for certain locations and typologies HS1 expects development to achieve a minimum density of 30 dwellings per hectare. Only where it can be demonstrated that such density will be detrimental or relate poorly to the character or amenity of an area will lower density be permitted. The scheme provides for a site density of only some 11.25 dwelling per hectare with the majority of units at the larger end of the spectrum. As highlighted above the scheme falls outside the development limit for the village, fails to make the most efficient use of the site or provide an appropriate housing mix. These factors weigh against the proposed development. Even if densities and mix were improved there would still however be an overlying policy objection in principle to the scheme.

9.36 Amenity - impact on existing and proposed residents

9.37 The proposal should ensure that residential and general amenity is protected and where possible enhanced as required by HP4 of the Local Plan.

9.38 As an outline application with all matters other than access and layout reserved for subsequent approval, it is only these matters which can be assessed against this proposal.

9.39 Clearly residents living on Meadow Lane, where access is to be taken will be aware of increased traffic movements, but it is not considered that an
additional 9 units would create road conditions so severe so as to justify refusal of the scheme on amenity grounds.

9.40 The layout shows how routes and blocks of development are arranged and relate to one another to create streets, open spaces and buildings. It defines:

The structure or settlement pattern;

The grain, or the pattern of development blocks and plots; and

The broad distribution of different uses, and their densities or building heights.

9.41 The submitted layout identifies that 9 houses are to be served of a cul de sac consisting of five detached 4 bedroom dwellings and four 3 bedroom units constructed as semi-detached dwellings. The cul de sac extending the existing Meadow Lane cul de sac to the rear of dwellings situated on Low Green. No details of the final design of the units have been produced and as such any assessment upon amenity can be considered at the reserved matters stage. The layout produces a very low density of development in comparison with the immediate environs (approx. 11.25 dwellings per hectare).

9.42 Impact on Heritage Assets

9.43 The site is not within or affect the setting of a conservation area. The nearest listed buildings are located at some distance from the site and are shielded from view by intervening development. There is no impact upon the setting of any Listed buildings as a consequence of this proposal.

9.44 Area of Outstanding Natural Beauty

9.45 Planning policies and decisions should contribute to and enhance the natural and local environment by inter alia: protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside. The NPPF at para 172, identifies that great weight should be given to conserving and enhancing landscape and scenic beauty of Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The scale and extent of development within these designated areas should be limited. Planning permission should be refused
for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

9.46 The scheme itself as a consequence of the number of residential units (less than 10) is not defined as a major application in ‘planning terms’, although the site area exceeds 0.5 hectares (approx. 0.8 hectares). The advice in the NPPF is however clear that the purpose of the advice contained within paragraph 172 and 173 whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

9.47 It has been established that the scheme provides for 9 open market dwellings on land situated outside the development limit for the village. The scheme is low density, predominantly 4 bedroom units, which fails to recognise the required HEDNA mix. Furthermore sufficient sites have been allocated to meet the housing requirements of the District without the need to further extend into the Area of Outstanding Natural Beauty, which in itself is given the highest order of protection. The site is prominent at the edge of village location, particularly from views to the south, where land rises and follows the route of the Darley Heritage Trail. The site will be seen as encroachment into the existing pastoral field pattern, and this eroding the character of the AONB. In the absence of need for the development, this is considered to represent a harmful impact weighing heavily against the proposal.

9.48 Landscape and Trees

9.49 The field is set to pasture and contains a number of mature trees that run along the embankment of the drain to the southern boundary of the site.

9.50 Development will inevitably alter the character of the field and hence setting of the village should member be minded to approve the scheme. In this respect the site did form part of a draft allocation for a larger site which at that time indicated the Councils direction of travel, but as documented above the site was not taken forward due to over allocation and harm to the AONB.

9.51 In the landscape assessment of site DR14 it was noted that the site is considered to be of high value situated within the AONB with the landscape in good condition and the components generally well maintained. There is some reference to the type and context of the development proposed along
the northern edge of the site which suggests that the site has a medium level of susceptibility to change. Overall sensitivity is therefore judged to be high.

9.52 The scheme forms part of the former assessed site and thus its impact in landscape terms is reduced. In terms of Visual Sensitivity; The site occupies the lower valley side where views are channelled by housing and woodland/individual trees. Walker Lane and Shepcote Lane situated to the south west and south east respectively is from where the site it is mostly viewed in the context of other housing at the edge of the village. Existing built form is mostly un-screened and forms an abrupt edge to the village.

9.53 A network of country lanes (Sheepcote, Walker and Crake Lanes) and public rights of way cross the neighbouring countryside and give views into the site, albeit enclosed against a backdrop of built development. There is presently no public access to the site and there are no public rights of way across it.

9.54 Local Plan Policy NE4 seeks to support proposals that will protect, enhance or restore the landscape character of Harrogate district for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the district.

9.55 The intrusion of the site into the countryside fails to meet these aims.

9.56 There are a number of mature trees that follow the drain to the southern boundary of the site. Local Plan Policy NE7 seeks to ensure that development should protect and enhance existing trees that have wildlife, landscape, historic, amenity, productive or cultural value or contribute to the character and/or setting of a settlement, unless there are clear and demonstrable reasons why removal would aid delivery of a better development. In this instance the layout avoids these trees and the Councils Arboricultural officer has no objection.

9.57 Highways

9.58 Access to services is a significant issue for parts of the rural district. Darley as a service village has been allocated planned growth through the Local Plan process to ensure the continued support for the range of services and facilities within the village. Whilst it is acknowledged that the development would further support such a role, this needs to be balanced against any harmful impacts of the development.

9.59 Policy TR1 seeks to ensure inter alia to ensure development proposals seek to minimise the need to travel and achieve more sustainable travel behaviour by requiring all developments which will generate significant amounts of
traffic to be supported by a transport statement or transport assessment and a travel plan. The scheme is supported by a transport assessment albeit it references issues in consideration of the earlier refused application on the previously considered larger application site.

9.60 The Local Highway Authority (LHA) have been consulted and have no objection to the scheme subject to the inclusion of traffic calming measures and conditions. Reference is made however to an emergency access onto Walker Lane, which does not form part of the proposed layout (The emergency exit formed part of the previous larger scheme). Clarification is being sought over this matter as an additional access across the fields to the south of the application site would in the opinion of your officers further erode the character of the AONB and landscape.

9.61 Ecology

9.62 Local Plan Policy NE3 supports proposals that protect and enhance features of ecological interest and that seek to provide net gains in biodiversity. The Councils Ecologist has no objection to the development subject to the imposition of conditions.

9.63 Drainage

9.64 Paragraph 103 of the NPPF requires planning decisions to ensure that flood risk is not increased elsewhere and this is achieved through the surface water drainage system adopting sustainable drainage principles where possible. The application is accompanied by a Flood Risk Assessment and Drainage Strategy. North Yorkshire Local Lead Flood Authority (LLFA) had considered under the larger application that further information is required but note that the proposals and submitted documents demonstrate a reasonable approach to the management of surface water on the site. The LLFA had therefore recommended the imposition of controlling conditions to secure full drainage details.

9.65 The comments of the drainage Engineer are awaited on the current smaller scheme, however given the findings above it is not anticipated that there are any technical details to prevent development, should Members be minded to approve the scheme.
9.66 ECONOMIC SUSTAINABILITY

9.67 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.

9.68 The benefit is not quantified and whilst representing a potential benefit of development, the contribution of 9 dwellings is unlikely to be considered significant.

10.0 PLANNING BALANCE & CONCLUSION

10.1 The site is located adjacent to but outside of the development limit identified for Darley. There is some limited benefit from an economic point of view in supporting existing services within the village. The Council do however have a current 5 year housing land supply and an up to date Local Plan and accompanying housing Policies. It is considered that the development of the site would represent an incursion into countryside at variance with the linear character of the village. The site is prominent within the Nidderdale Area of Outstanding Natural Beauty from a network of public vantage points, including the Darley Heritage trail. The scheme provides for a low density of development of predominantly larger open market units which would not meet the housing needs of the locality. Whilst it is accepted that holistically they would contribute towards housing supply and ultimately through commuted sum payments secondary affordable housing provision these benefits would not outweigh the harm to the provisions of the Local Plan or character and appearance of the countryside and particularly the AONB, which is given the highest order of protection.

10.2 Notwithstanding the benefits that would come from the delivery of new housing, in light of the fact that the site is outside settlement limits, does not accord with policy GS3, NE4 and GS6 is not allocated within the Local Plan, and that the Council has a demonstrable 5 year supply housing land then the harm caused by this proposal is considered to outweigh the benefits and permission should be refused.

11.0 RECOMMENDATION

11.1 That the application be REFUSED
Reason 1: The proposed site lies beyond the development limit for Darley as set out in the adopted Harrogate District Local Plan. As the council can demonstrate the existence of a current 5-year land supply, the scheme is considered to be contrary to Policy GS3, resulting in harm to the landscape of the Nidderdale AONB contrary to Local Plan Policy GS6 and NE4. The proposal by reason of its site area, represents major development in the AONB, and in the absence of any exceptional circumstances identified by paragraph 116 of the NPPF, to warrant approval in the public interest, the resultant harm to the environmental strands of sustainability outweighs any social benefit of housing.

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.

Case Officer: Andy Hough  Expiry Date: 1 May 2020