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Planning Services
Harrogate Borough Council
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By Email Only

Dear Mr Hough

Erection of 61 no. dwellinghouses; Conversion of 1 no. agricultural building to form 1 no. dwellinghouse; Demolition of agricultural buildings at Land North Of Westfield Road, Tockwith, York, North Yorkshire, YO26 7PY

As you are aware, we act on behalf of Tockwith Residents' Association who have engaged us to review and comment on the above planning application.

We note that a number of new plans/reports/surveys have been submitted over the past few weeks (the latest dated 15th August 2019) but would like to confirm that the majority of the concerns and objections previously raised on behalf of Tockwith Residents' Association (dated 25th June 2019) have not been addressed fully and would appreciate if these are continued to be taken into consideration in the determination of the application. In summary Tockwith Residents Association still object to the application in its entirety.

In addition to our previous comments, we would like to make further comments in relation to the following matters:

Scale/density/design

The main layout change (apart of distribution of housing types through the site) from those previously submitted relates to the access way along the south-eastern boundary and the subsequent shift of some dwellings to the north-west. The reasoning behind this appears to be to try and satisfy Ainsty Internal Drainage Board's requirements for a continuous unobstructed area to the nearby watercourse (although it is noted that they have not responded yet to this latest design). Nevertheless, the updated design fails to satisfy our previous concerns, specifically in relation to:

- Density. The latest site layout plan (ref: Y81:1057.03 – Revision G) still proposes a total of 62 new dwellings. We maintain that this is an undesirable and very cramped/dense form of development which does not correspond to the traditional character of the immediate area, particularly in respect of the existing residential dwellings along Fleet Lane and Westfield road which are set in spacious plots and front onto the road.

A recent update to Planning Practice Guidance (PPG) relates to planning for higher density development and states that a range of considerations should be taken into account in establishing appropriate densities on a site or in a particular area which include: accessibility measures, design studies dealing with issues such as urban form, historic character etc. and environmental and infrastructure assessments. No such considerations appear to have been undertaken with the current development proposal and disappointingly the Applicant has repeatedly ignored advice/suggestions to decrease the proposed number of dwellings on this site.

- Impact on Tockwith Conservation Area and on key views into, out and across the site. It is still strongly believed that little attention or recognition has been given to Tockwith Conservation Area and its character in the development of the scheme on this site. Little cognisance has also been given to maintaining views of the Grade II Listed Church of The Epiphany and its clock/spire.

As detailed in our initial letter, we agree with the CPRE's comments that the proposed development undermines *'the linear character of the settlement, harming the village's green setting and eroding the Conservation Area's historic, agricultural connection with the surrounding landscape'*. In terms of key views, we note the 3D visuals recently submitted (dated 15th August) but consider these only serve to support the argument that the key views towards the Church of the Epiphany (identified as a local landmark building in Tockwith's Conservation Area Character Appraisal) could not be maintained. There would be no guarantee that the site boundary planting or that in private residential gardens would be maintained to such a degree that the key view would remain. A photo illustrating the current key view across the site towards the Church of the Epiphany is provided at Appendix 1.

The development still conflicts with site requirements of the draft allocation (specifically point 3¹) as well as the general duty to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area as detailed in the Planning (Listed Buildings & Conservation Areas) Act 1990.

- Safe pedestrian movement within and around the Site. This is of particular concern along Fleet Lane as well as through the former farm yard complex which also serves as a vehicular link. The installation of traffic calming measures suggested by North Yorkshire County Council Highways (NYCC) are noted but the safety of this access is still of a deep concern.
- A lack of and unbalanced distribution of open space with the Site. The open space/green infrastructure between the farmstead cluster and the estate layout remains the same and

¹ Both in the 2018 draft Local Plan and the Schedule of Main Modifications (July 2019)

has not been extended into the site despite the comments from the Council's own Landscape Architect (Mr Barrie Gannon) as well as the Council's Principal Conservation Officer (Ms Emma Gibbens).

- Poor composition/detailing of Site frontage elements. Plot 57 remains of an orientation which disrupts the existing pattern of development along this side of Fleet Lane

Highways

Whilst no objections have been raised by North Yorkshire County Council Highways (although it is noted several conditions are suggested), Tockwith Residents Association (in addition to the comments made on 3rd August 2019) maintain that the proposed access along Fleet Lane is dangerous for both pedestrians and vehicles. It is not believed that the widening of the carriageway by a metre into the grass triangle on Ness Lane will help in this regard as the visibility from the access will remain extremely poor. In fact, it is considered that the reduction in size of this grass triangle will increase the risk of cars entering the adjacent Ness Lane Drain as they traverse the Fleet Lane corner in a wider arc.

Despite the comments made by NYCC Highways, it is noted that the proposed footpath from Fleet Lane to Ness Lane has not been extended in these latest plans. Even if this was proposed we find it difficult to understand how this will be constructed to the required standard given the narrow verge and close proximity of the sharp and deep Ness Lane Drain. Tockwith Residents Association are also concerned that if constructed, the pathway would encourage unsafe pedestrians movements towards Ness Lane which is frequently used by large, farm vehicles (see photos at Appendix 2).

Trees and Landscaping

It is recognised that increased planting is now proposed along the northern boundary of the site, which is assumed to be in an attempt try and soften the impact of the development on this edge of village setting. However, as stated above the proposal remains a cramped and dense form of development and as such, it is not believed that the addition of vegetation here will overcome the significant harm caused by the residential development of this site (it is considered the 3D visuals recently submitted illustrate this fact – particularly the view from Fleet Lane).

In addition to the above, it is noted that whilst some comments from the Council's Landscape Architect have been taken on board in the revised design, several have not, including the proposed fencing between rear gardens which are still the same (albeit some slightly reduced in height), rather than hedgerows as recommended by Mr Gannon. Furthermore, the space between adjoining residential units has not been varied to allow for a more gradual transition between built form and open fields beyond.

Additionally, despite the Arboricultural Officer's comments, Tree T19 is still proposed to be removed. Other than the fact the retention of this tree would likely result in the reduction in the number of dwellings proposed, no justification for the removal of this tree has been provided.

Ecology

The Ministry of Housing, Communities and Local Government's recently updated the Natural Environment section of the Planning Practice Guidance (PPG) website with fresh details on how net environmental gain requirements can be implemented when assessing development proposals, including new advice on protecting wildlife.

The updated guidance states that net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain.

The document places a greater emphasis on ways development can enhance biodiversity and the environment - such as drainage areas to create wetlands for birds and amphibians. It provides a number of pointers as to how planning authorities can encourage net gains for biodiversity through planning policies and decisions.

The revised guidance states that planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity. It adds that an applicant may also propose measures to achieve biodiversity net gain through a unilateral undertaking and suggests that such measures could involve creating new habitats, enhancing existing habitats, providing green roofs, green walls, street trees or sustainable drainage systems.

We do not believe that the latest plans reflect the requirements of the updated PPG.

We trust that the above points, as well as our original objections made in June will be taken in account in the determination of this Application.

Yours sincerely,

Sophie Cattlin MRTPI

Northern Planners

**Appendix 1: Existing Key View over Church Farm Field/ Hay meadow with Tree 19 (Lime) SE
towards Church of the Epiphany/Conservation Area (taken June 2019)**



Appendix 2: Ness Lane and Fleet Lane Junction and its use by large farm vehicles

