

LANGTHORPE PARISH COUNCIL

MINUTES OF THE PLANNING SUB-COMMITTEE

MEETING HELD ON TUESDAY 25 November 2015

At Coronation Hall, Milby YO51 9BL

PRESENT: D Fearnside (Vice Chairman), Cllr M Fisher, Cllr L Gill, H Heavisides (Clerk)

Members of the Public: A Collins, I Barnes, S Barnes, S Knowles, J Knowles.

Late Arrivals: None

Early Departures: None

The meeting opened at 7.30pm

1) **Welcome** – It was agreed that D Fearnside would chair the meeting. All in favour.

2) **Apologies:** None

Members of the public present made the following observations:

Objection was made by a resident – APPENDIX 1- on 3 major points -Back Lane access; land is outside development limit; adverse impact on residential amenity.

Concerns were shown by a second and third residents regarding: misleading information available on line as both applications below seemed to have been confused: Other concerns were in respect of the protection of trees which would be affected; the proposed driveway under tree canopies; endangered hedgerows for foraging which should be protected; the entrance to Plot 4 which would breach the protection of trees; the rare variegated sycamores which would need protection; the orientation of site which is not a particularly good use of space; the shading of trees detrimental in future; the proposed position of walls which will compromise existing trees (not marked on plans); this area of village is known to be very wet - has there been some provision for improvement of this?

One resident was in support of development - Land not presently being used for agriculture and the area being in need of visual improvement.

A Resident showed concern: More housing developments north of the river would be detrimental to the traffic problems coming through the area. More housing north of the river adds to traffic problems through Horsefair, Boroughbridge. Access to the A168 from Leeming lane would alleviate this problem.

3) **To consider under-mentioned planning applications:**

i) **Ref. 6.56.10.B.OUT 15/04732/OUT**

Outline application for the erection of 4 dwellings with access, layout and scale considered (Site Area 0.28).

Back Lane, Langthorpe, North Yorkshire

B. The Parish Council objects on the planning grounds set out below:

- i. All recent developments comply with the building lines and this should be applied to any new developments. This development does not comply with the building lines.
- ii. There is inadequate access as there no site line when exiting Back Lane and the lane is too narrow with no provision for a pavement. Large agricultural vehicles constantly use the lane which will add to the congestion.

ii) 6.56.12.G.OUT 15/04731/OUT

Outline application for erection of 4 dwellings with access, layout and scale considered (Site Area 0.38 ha)
(Revised Scheme)

Field At Langthorpe Manor, Skelton Road, Langthorpe, North Yorkshire

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Meeting closed at 8.18pm

Signed: _____ Dated: _____

Chairman

The Old Paddocks
Back Lane
Langthorpe
Boroughbridge
YO51 9BZ

24.11.2015

To: Clerk to Langthorpe Parish Council

Re: Planning Application 15/04731/OUT: Outline application for erection of 4 dwellings with access, layout and scale considered (Site Area 0.38 ha) (Revised Scheme): Field At Langthorpe Manor Skelton Road Langthorpe North Yorkshire.

AND

15/04732/OUT: Outline application for the erection of 4 dwellings with access, layout and scale considered (Site Area 0.28): Land At Back Lane Langthorpe North Yorkshire

Although these are stated by the Agent (Paul Leeming at Carter Jonas) acting for both developments to be two separate Planning Applications, some documents for the two sites have been shared and in several instances, cross referencing or copying details have left a confused and sometimes misleading situation.

I wish to register objection to these applications on the grounds of:

- 1) The proposed Back Lane access
- 2) The land being outside of the development limit.
- 3) The adverse impact on residential amenity, contrary to Core Strategy Policy SG4 of the Development Plan.

1) Back Lane Access

In 2001, application 01/01332/OUT for 4 houses on the Langthorpe Villa/Manor site was refused because: *The proposed dwellings would be sited outside the development limit identified in the Harrogate District Local Plan; the proposal would be inappropriate and harmful to the character of the settlement and the amenities of residents and would conflict with Policy J16 of the Harrogate District Local Plan. **The Planning Authority considers that the roads leading to the site are not of a sufficient width or suitable gradient to cater for the traffic which would be likely to be generated by this proposal.*** The existing access in the opinion of the Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

The revised plans 15/04731/OUT for Langthorpe Villa/Manor now have **2 exit points** onto Back Lane, 1 serving 1 house and the other serving 3, an even worse situation than the withdrawn plan submitted in Summer 2015 which suggested at least some access would be from Skelton Road, where the access road would be wider and visibility much clearer. Access from Skelton Road would make access, at least to the Langthorpe Villa/Manor site, more viable and *much* safer.

The second site 15/04732/OUT (paddock and allotment/garden) further west along Back Lane proposes **3 exits** onto Back Lane serving 4 houses.

The recent Berkeley DeVeer development at the furthest point west in Back Lane has comprised 5 homes, (mixed 2,3,4 bedroom houses) and so far have 4 garages, 11 parking places and a recently cleared area for 2 more, suggesting the traffic volume for just 5, more modest, houses is considerable. These properties have **1 shared access point** onto Back Lane, through a security gate whose purpose is presumably to keep out the sheep when herded along the lane to new pastures.

The plans propose access for a total of 8 new 3/4/4+ bedroom houses onto Back Lane, a farm lane totally unsuitable for an increase of potentially (at the rate of Berkeley DeVeer) at least 3 vehicles per house, (i.e minimum 24) as well as commercial and other visiting traffic. There is also no clear indication of the number of actual parking places intended on each site.

It will be obvious in any site visit to the lane that the width of Back Lane from the eastern end to Oak House is too narrow for passing vehicles and that developments of this magnitude would cause problems with both the use of the lane and safety along it. Back Lane was originally intended as access by farm vehicles to the fields to the north. Nowadays these vehicles include not only heavy tractors but also combine harvesters, sprayers, etc, many of which are wider than the existing tarmacked carriageway.

The proposed passing places appear inadequate but also involve other factors. The north side of Back Lane is currently pure farming land, well tended and cultivated each year. The strip of land actually verging Back Lane on this north side is owned by Compton/Newby Hall Estate, joint proposers of the more westerly building site in the lane. Once this verge and hedgeline are removed for widening, access will be gained into Cover Beggar field and the other farmland which extends uphill towards Kirby Hill. This would then become a possible site for what could potentially be several hundred houses, especially in the current climate of using greenfield sites. Within less than half a mile from this site there are already 176 new houses approved for Gladman 1 (14/04003/OUTMAJ) development and a neighbouring site, Gladman 2 for 145 homes (15/04164/OUTMAJ) is well under consideration, both on greenfield farm land. With the approved plans for an estimated 84 houses less than a mile away in Boroughbridge on the John Boddy brownfield site and a further estimated 70 pending behind the recent Battle Close estate, surely Boroughbridge and its Langthorpe, Kirby Hill and Milby hinterland have already exceeded any reasonable housing demands.

The Technical Note Traffic Report by Sanderson Associates commissioned by Carter Jonas for their respective clients (October 2015) shows misleading information, some of it calculated by standard formulae which do not relate to particular circumstance. (Even the cover photograph is misleading, taken at what is probably the widest point and appearing even wider by the adjoining carpark of Jigsaw View and The Yorkie containing only 1 car; it does however show some of the vergeside repairs required after the last development was completed.)

1.3 In relation to national planning policy, NPPF paragraph 32 is the most relevant in respect of this proposal. This states: "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- **safe and suitable access to the site can be achieved for all people;** and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where **the residual cumulative impacts of development are severe**".

The report includes a spot survey of speeds at the access point from Skelton Road into the western head of Back Lane and concludes in 2.5: *The manual radar speed survey indicates that in free flowing conditions traffic speeds in both directions are in the order of 34 mph.* This excess seems to be considered acceptable in a 30m.p.h. village area!

The report also considers the broad west end access has good sight lines. 2.6 *At a setback of 2.4m 34 mph (85th percentile wet weather approach speed) requires a sight line in the order of 52m, and given the position of the Back Lane junction on the outside of a slight bend in Skelton Lane and the wide nearside verge, satisfactory vision can be achieved in either direction of sight.* This may appear so in the middle of a working day, but re-visiting the site at times outside of working hours would show the number of vehicles parked in the 'access' area to the lane to be considerable as the houses have either insufficient or no off road parking and also include extra parking for the Care Home at Fieldhead. This would present a very different situation.

The report also states: 3.2 *A similar development of five dwellings has recently been constructed on the southern flank of Back Lane approximately 100m distant from the Skelton Lane junction. As part of this development localised improvement of the width of Back Lane has been undertaken to facilitate the passage of traffic.*

Such improvement of width is certainly not evident, and the developers had to be requested to repair the damage they had caused.

Regarding their view of traffic flow, 3.3 *To gain an impression of the likely traffic flows.... indicates that for the two peak hours of 08.00 to 09.00 and 17.00 to 18.00, two way trip rates are 0.897 and 0.778 movements per dwelling occur.* 3.4 *Applying these to the 8 new dwellings provides an increase in two way traffic of 7 vehicles in either peak.*

This is skewed, no doubt unbeknown to the assessor, by a significant number of residents working varied shift hours and access by teams of carers to North Gate and Fieldhead operating outside of these times. These peak hours are not reflecting the lifestyles of the residents of this area.

The report continues: 3.5 *This level of movement is minimal but it is acknowledged that there may be more incidence of passing traffic and thus as a consequence it is proposed to widen the carriageway of Back Lane in two locations to provide passing spaces of 4.2 and 4.8m – allowing a clearance of at least 0.6m between the carriageway and any new boundary wall of the development. 4.2m is the distance recommended in Manual for Streets for two cars to pass in free flowing conditions, with 4.8m providing space for a car and a service vehicle to pass.* 3.6 *These works should however extend over only the distance needed for vehicles to pass as an excessive widening would remove the natural physical traffic calming nature of the route.*

These figures may apply to more urban settings, but as well as passing traffic such as household deliveries, the vehicles using the east end of Back Lane, other than accessing North Gate and The Old Paddocks and the regular gas tankers serving The Old Hall Caravan Park are predominately very large farm vehicles. 2015 crops have included potatoes being harvested for several days when weather conditions permitted, sometimes until late into the night. The cereal crop fields are harvested by huge combine harvesters and their associated wagons and tractors. Sprayers and other farm machinery are frequently brought up and down the lane and sheep herded to fresh pastures along it. That is what Back Lane has always been intended to do - provide access to farmers for their fields and these proposed passing places would be totally inadequate for cars attempting to pass these machines. The current system is that the few residents living at the east end of Back Lane acknowledge it is their responsibility to reverse back down the lane to a suitable place to allow the farmers safe passage in their work. Pedestrians along this lane (many of whom use the rear gates of the Old Hall Holiday Park and its associated Public Footpath), walk on the roadway as there is no footpath and know to be very watchful of these machines. This is a lane frequently used by families with young children and dog walkers as it is known to be quiet and safe, notwithstanding the very obvious and noisy approach of farm vehicles. An increase of 24+ cars belonging to new residents as well as deliveries and other vehicles needing access to the new sites would be exceedingly dangerous along such a narrow farm lane, indeed a totally irresponsible action.

The point in 3.7 is irrelevant: *In addition to the widening, Back lane does not currently have any turning facility as such the entrance to the new private drive has been designed to accommodate the turning of a service/emergency vehicle. The turning area dimensions follow those set out by NYCC, and the turning head would form part of Back Lane and thus would be available for all users and could not be "gated off".*

When emergency vehicles have been called to the Care Home at North Gate, they have always been able to access the house from Back Lane and other heavy vehicles currently turn at the bend in the lane satisfactorily!

The conclusion that: 3.14 *The proposed highway improvement works are a balance against the modest increase in use of Back Lane and as such there should be no residual cumulative adverse impact on the local highway network.* A potential 24 + domestic vehicles as well as the associated commercial traffic to these 8 houses is rather more than a *modest increase in use of Back Lane!* This adverse impact will of course, be permanent, as well as the short term problems of access experienced during building at the west end of the lane when each successive development has caused blockages to the lane for all users beyond the construction sites whilst deliveries and other work has been carried out; this has frequently led to vehicles having to be abandoned at the west end when access to the east is blocked, often for several hours.

2) Development Limit

Whilst the absence of coherent planning has caused a rush of recent developments, those at the west end of Back Lane have all been required to abide by the accepted 'building line' for the area and the actual houses are consequently set well back from the lane itself.

(See Planning Statement 5b below)

3) Residential Amenity

Core Policy SG4 criteria include:

- **Visual, residential and general amenity should be protected** and where possible enhanced.
- There should be **no loss of greenfield land** unless justified by national planning policy, the Regional Spatial Strategy, this Core Strategy or a policy or proposal within the Local Development Framework;
- The **travel impact of any scheme should not add significantly to any pre-existing problems of access, road safety or traffic flow.**

4) Other Considerations, contradictions and confusions

Ecology

Another report Commissioned by Carter Jonas in October 2015 as: *Preliminary Ecological Appraisal Land off Back Lane in Langthorpe, North Yorkshire* actually appears under the Planning documents for the Langthorpe Villa/ Manor development site. It claims: *The proposals involve the construction of four residential dwellings to the north of Langthorpe Manor, with access off Back Lane, adjacent to the north of the site.* It then goes on with site plans, etc to describe an area which cannot be at the rear of Langthorpe Villa/Manor and must therefore be the other development site.

However the same company had already produced a report in June 2015 for Langthorpe Villa/Manor site: *Preliminary Ecological Appraisal Langthorpe Manor, Skelton Road in Langthorpe, North Yorkshire DRAFT (v2)*, and whilst they claimed: *The proposals will not affect the buildings and the majority of garden habitats to the south*, (i.e. Langthorpe Villa/Manor) there was obviously no regard for any other habitation to the east or west.

Such inaccuracies and omissions do not give the public confidence in the accuracy of these documents and are not conducive to rational decision-making.

Heritage and Culture

Similarly, a new Heritage report by FAS Heritage commissioned for Langthorpe Villa/ Manor in October 2015, similar and possibly the same as the one submitted for the previous application in the summer of 2015, whilst obviously wishing to protect the Grade II listed status of the house, its remit does not appear to include any regard for any other dwellings or, indeed the rural nature of the surroundings. It contains several comments differing from those made in the Planning and Development Services Conservation and Design Report 6. 56.76.I.OUT 15/02853/OUT submitted for the previous application for the site in Summer 2015, including still relevant comments: *Unfortunately the proposals for four houses would represent over intensive development. As the houses are designed to reflect a farmstead with a house to the north and south, it will represent pastiche.*

5) Planning Statements submitted for both developments

The Planning Statements for the western parcel of land in Back Lane is almost identical to the Planning Statement for Langthorpe Villa/Manor, although the latter has some additional Heritage comments.

a) Traffic

The National Planning Policy Framework Para 32 suggests that planning decisions should take account of whether:

- *Safe and suitable access to the site can be achieved for all people; and*
- *Development proposals should only be refused on transport grounds where the residual cumulative impacts of development are severe.*

These latest proposals for access to both the sites in Back Lane and the disregard for existing heavy traffic in the lane, is totally against the safety and suitability of access being achieved for all people and adding enormously to the cumulative impact.

Achieving access from Skelton Road would help to mitigate these issues.

b) Development Limits

The Framework (para 212) calls upon the Core Strategy relating to local planning NOT to be considered out of date simply because the policies were adopted prior to the publication of the Framework: *Policies in the Framework are material considerations and therefore the Core Strategy should be treated accordingly and supplemented as needed by robust up-to-date local evidence.*

It must surely follow, therefore, that the pre-existing 'Building Line', to which all recent developments at the western end of Back Lane have had to comply, should not be thrown out and should also be applied to these latest development sites.

c) Amenity and Cumulative Impact

The latest Annual Monitoring Report/ Housing Land Supply Update sets out the Council's current housing supply based upon GL Hearn OAN and an assessment of current permissions and other candidate sites. It indicates that the Council can demonstrate a **6.6 year** deliverable supply, well above the 5.1 figure given by Carter Jonas in both Planning Statements.

In stating the Cumulative Impact of these developments, the Statements refer to a number of planning applications which have been approved for residential development in Langthorpe (actually Gladman 1 is in Milby) to the east of Leeming Lane and there are further proposals to the east of Milby Lane currently submitted for determination (Gladman 2). There are already serious local concerns voiced at public meetings as to how the infrastructure including schools, doctors and, critically, water and sewage problems already existing are going to be solved for the benefit of current residents, without even more housing in the area.

In the Statements' conclusions, each claims to include 'a new access'. As seen in plans, there would be 3 access points for the westerly site and 2 for the Langthorpe Villa/Manor site.

With the possible exceptions of Plots 1 and 2 of the Langthorpe Villa/Manor site it is rather too great a stretch of imagination to see how the other houses will 'reflect the Council's suggestion that any dwellings should be bespoke and **appear as ancillary agricultural buildings**'!

In conclusion, it would seem that both of these opportunist proposals are in no way favourable to the existing area of Back Lane as well as ignoring the accepted settlement areas within Langthorpe; but the over-riding concern must be for the safety of existing users of Back Lane.

Yours sincerely,

Anne Collins