



**Land at 1 Highfield Road, Bubwith, YO8 6LY**

Reserved matters application (including appearance, landscaping, layout and scale) following the approval of planning application 22/01739/OUT for 9 No. dwellings with access from Highfield Road

Planning Statement

September 2023



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# 1. Introduction

- 1.1. This Planning Statement has been produced in support of an application for reserved matters permission (considering appearance, landscaping, layout and scale) following the approval of planning application 22/01739/OUT for 9 No. dwellings with access from Highfield Road. The application site, extending to approximately 0.33 ha, is situated in the curtilage of 1 Highfield Road, Bubwith, YO8 6LY, currently within residential [C3] use.
- 1.2. The application site is part of a site allocated for residential development under allocation BUB-B in the East Riding Local Plan 2012-2029 Allocations Document - Adopted July 2016.
- 1.3. This Planning Statement [Preston Baker] should be read alongside the application plans and technical documents which comprise the planning submission. These are:
  - Site Location Plan [1:1250] [Planning Portal];
  - Proposed Site Plan [AK Innovative Design] (0796.A103);
  - Landscaping Plan [AK Innovative Design] (0331.A99);
  - Plot 1 & 2 Plans [AK Innovative Design] (0796.A100);
  - Plot 3 Plans [AK Innovative Design] (0796.A104);
  - Plot 4 & 5 Plans [AK Innovative Design] (0796.A106);
  - Plot 6 & 7 Plans [AK Innovative Design] (0796.A110);
  - Plot 8 & 9 Plans [AK Innovative Design] (0796.A113);
  - Site Street View [AK Innovative Design] (0796.A119);
  - Drainage Strategy [AMA];
  - Phase 1 Environmental Site Assessment Report [EnviroSolution];
  - Preliminary Ecological Appraisal [Estrada Ecology];
  - Biodiversity Net Gain Report [Estrada Ecology];
  - Arboricultural Impact Assessment [Selwyn Trees];

- Arboricultural Impacts Plan [Selwyn Trees]; and
- Tree Protection Plan.

1.4. The application has been submitted via the planning portal [PP-12475741]. The required planning application fee has been paid separately.

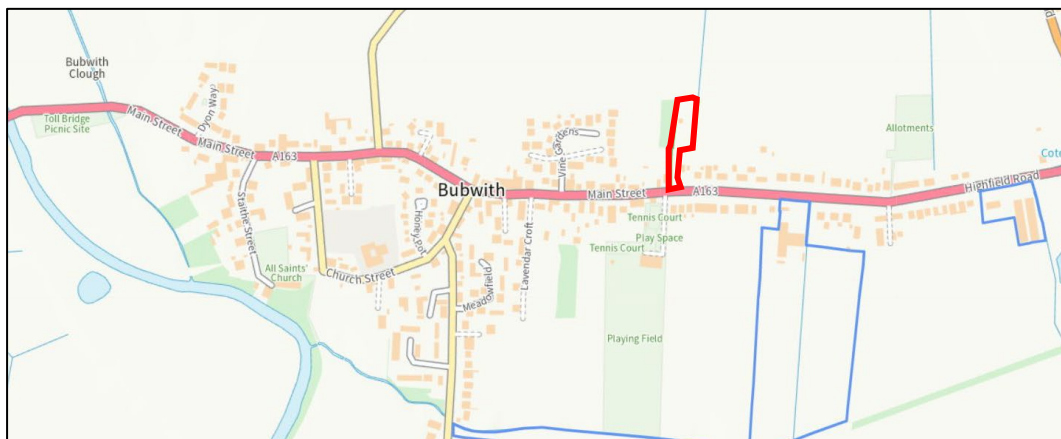
1.5. This Planning Statement [Preston Baker] sets out our analysis of the proposal against the relevant planning policies which must be considered in support of this application.

1.6. The statement adopts the following structure:

- Section 2 sets out the location and site description;
- Section 3 sets out the proposed scheme;
- Section 4 sets out the planning policy context against which the proposal falls to be considered;
- Section 5 assesses the proposal against this policy context; and
- Section 6 provides overall conclusions on the planning case.

## 2. Location and Site Description

- 2.1. Bubwith is a village in East Riding. It is identified as a ‘Rural Service Centre’ within the East Riding Local Plan 2012-2029 Strategy Document – Adopted in April 2016.
- 2.2. The Parish of Bubwith, which includes the settlement of Bubwith and the surrounding countryside has a population of approximately 1,325 according to the most recent published census (2021). The bulk of the village is found on the eastern bank of the River Derwent, with most development fronting onto the A163, which forms a spur of development eastwards. Existing development within the western half of the village spreads north and south via a network of side roads from the A163.
- 2.3. The site comprises part of the curtilage of a residential dwelling, therefore comprising previously developed land. The site has several derelict horticultural structures on it.



*Image 1: OS Map: Bubwith [Application Site in Red]*

- 2.4. Bubwith is a village within the Vale of York sub-area as established in the East Riding Local Plan 2012-2029 Strategy Document – Adopted in April 2016. It is within the East Riding Council area and the site itself is located 10.94 km to the northeast of Selby. Nearby villages include Harlthorpe (4.30 km to the northeast of the site) and Sandhutton (1.73 km to the northwest of the site).
- 2.5. Bubwith benefits from a number of facilities, including a convenience store, butchers, a number of public houses, a small holiday cottage and a leisure and sports centre. The village also benefits from a church, Bubwith Community Primary School.
- 2.6. There are numerous bus stops within Bubwith, providing access to the nearby villages, as well as to York.

- 2.7. None of the settlement of Bubwith is within a Conservation Area. There are no listed buildings within the immediate vicinity of the site.
- 2.8. The site is located in Flood Zone 1 – in an area at the lowest risk of flooding.

### 3. The Proposed Scheme

- 3.1. The proposal seeks approval for the matters reserved under outline consent 22/01739/OUT for the erection of 9 no. residential dwellings on Land to the north of 1 Highfield Rd, Bubwith. The access was a consideration during the Outline Application, as such only matters relating to Scale, Landscaping, Layout and Appearance are matters for consideration within this application.
- 3.2. The submitted site plan [AK Innovative Design Solution] demonstrates that 9 no. dwellings can be accommodated on the site. Private gardens are provided to the rear of each property, offering adequate private amenity space, the gardens are sufficient to accommodate cycle parking.
- 3.3. A variety of dwellings have been shown, consisting of;
- 2 no. 2-bed (semi-detached);
  - 1 no. 2-bed (detached);
  - 4 no. 3-bed (semi-detached); and
  - 2 no. 4+-bed (detached).
- 3.4. The parking proposed, consists of frontage, and integrated garage parking, and the provision complies with ERYC requirements.

## 4. Planning Policy

- 4.1. Paragraph 38 of the National Planning Policy Framework (2023) dictates that decision-making, when considering proposed development, should be approached in a positive and creative way, seeking to approve applications for sustainable development wherever possible.
- 4.2. Achieving sustainable development comprises three objectives:
- An economic objective: Helping to build a strong, responsive and competitive economy;
  - A social objective: To support strong, vibrant and healthy communities; and
  - An environmental objective: To contribute to protecting and enhancing our natural, built and historic environment.
- 4.3. Planning policies and decisions, alongside the local circumstances and character, should guide this sustainable development.
- 4.4. This approach, coupled with an underlying presumption in favour of sustainable development as outlined in Paragraph 11 of the National Planning Policy Framework (2023), means that proposals that concur with an up-to-date development plan should be approved without delay.
- 4.5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan unless there are material considerations which ‘indicate otherwise’.
- 4.6. The relevant development plan pertinent to this application consists of the following documents;
- East Riding Local Plan 2012–2029 Strategy Document - adopted April 2016; and
  - East Riding Local Plan 2012-2029 Allocations Document - Adopted July 2016.
- 4.7. The Council has also adopted various Supplementary Planning Documents (SPD) in support of this suite of documents, including Affordable Housing SPD, Sustainable Transport SPD, Housing Guidance SPD, and Open Space SPD. The SPDs provide more detailed advice and guidance on policies in the adopted plan.



## **East Riding Local Plan [Adopted April 2016]**

- 4.8. The adopted Strategy Document sets out the long-term spatial vision for East Riding and includes policies on how growth and development will be managed in the East Riding to 2029. It sets out a collective 'vision' for the East Riding and individual 'place statements' to highlight how the larger settlements will grow and develop. The policies from the East Riding Local Plan 2012-2029 Strategy Document – Adopted in April 2016 that are considered to be relevant to the determination of this application are as follows:

### **Policy S1 – Presumption in favour of Sustainable Development**

- 4.9. This policy states that:

*“The Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which means that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the East Riding of Yorkshire.”*

- 4.10. The policy goes on to list a number of climate impact mitigation methods, which are addressed by other policies. Such as development density, reuse of previously developed land, sustainable public transport, and sustainable flood management.

### **Policy S2 – Addressing Climate Change**

- 4.11. This policy focuses on addressing the impact on climate change caused by development in East Riding. The policy states that reduction in climate impact will be achieved through directing:

*“Most new development to areas where there are services, facilities, homes and jobs, which reduces the need to travel and where it can be served by sustainable modes of transport” and “Support the re-use of the area’s... previously developed land”*

### **Policy S3 – Focusing Development**

- 4.12. Policy S3 set out the local planning authority’s approach to focusing development to existing defined settlements. New development will be encouraged where it involves the re-use of suitable previously developed land. In order to sustain the overall vitality of rural areas, development to meet local community needs and sustainable economic growth will be supported in Rural Service Centres and Primary Villages, complementing the roles of Towns in meeting some of the basic needs outside of the Major Haltemprice Settlements and Principal Towns. To ensure the delivery of the overall spatial approach, Policy S3 prescribes that residential development, including affordable housing, commensurate with the scale, role and character of the village following forms of development will be supported in Rural Service Centres.

- 4.13. Bubwith is defined as a Rural Service Centre according to the Settlement Network established

in Policy S3 in the East Riding Local Plan 2012-2029 Strategy Document – Adopted in April 2016.

#### **Policy S4 – Supporting Development in Villages and the Countryside**

- 4.14. This policy establishes what development would be acceptable in the countryside. The Strategy Document – Adopted in April 2016 defines any land outside of the established settlement boundaries as countryside.
- 4.15. In the countryside, the Local Authority will support proposals only where the proposal is for new dwellings of exceptional quality, affordable housing for local people, or new and enhanced infrastructure.

#### **Policy S5 – Delivering Housing Development**

- 4.16. This policy demonstrates how the LPA will achieve their Housing Supply through the allocation of sites for development. It specifies 3,585 dwellings to be constructed in Rural Service Centres and Primary Villages between 2012 and 2028.
- 4.17. The site at Bubwith has an allocation for residential development ‘BUB-B’ in the Allocations Document - Adopted in July 2016. [Refer to Appendix 1].

#### **Policy H1 – Providing a Mix of Housing and Meeting Needs**

- 4.18. This policy states:

*“New residential development should contribute to the overall mix of housing in the locality, taking into account the current need, particularly for older people and first-time buyers, current demand and existing housing stock.”*

#### **Policy H2 – Providing Affordable Housing**

- 4.19. This policy determines the affordable housing component for developments within the East Riding Council area.
- 4.20. The proposal is for 9 units with a site area of 0.33ha and is outside of Haltemprice Settlements, and Principal Towns, The affordable housing component would be 25% - or 2.25 units.

#### **Policy H4 – Making the most Efficient use of Land**

- 4.21. This policy focuses on the effective use of available land in the district. It covers two main points. The density of the site, and the reuse of previously developed land.
- 4.22. The council requests a density of 30 dwellings per hectare should be achieved.
- 4.23. Policy H4 supports proposals that make use of previously developed land over greenfield land and prioritises development within settlement boundaries.

**Policy EC4 – Enhancing Sustainable Transport**

4.24. This policy states:

*“new development will be supported where it is accessible or can be made accessible, by sustainable modes of transport”*

**Policy ENV1 – Integrating High-Quality Design**

4.25. This policy states:

*‘A. All development proposals will:*

- 1. Contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use; and*
- 2. Seek to reduce carbon emissions and make prudent and efficient use of natural resources, particularly land, energy and water.*

*B. Development will be supported where it achieves a high-quality of design that optimises the potential of the site and contributes to a sense of place. This will be accomplished by:*

- 1. Having regard to the specific characteristics of the site’s wider context and the character of the surrounding area;*
- 2. Incorporating an appropriate mix of uses on the site;*
- 3. Having an appropriate scale, density, massing, height and material;*
- 4. Having regard to the amenity of existing or proposed properties;*
- 5. Having an adaptable layout for sites and/or buildings that takes into account the needs of future users;*
- 6. Having regard to healthy lifestyles;*
- 7. Incorporating energy-efficient design and arrangements to manage waste;*
- 8. Incorporating hard and/or soft landscaping, alongside boundary treatment of an appropriate scale and size, to enhance the setting of buildings, public space and views;*
- 9. Promoting equality of safe access, movement and use;*
- 10. Having regard to features that minimise crime and the perception of crime;*
- 11. Considering the use of public art, where the sense of place and public access or view would justify it;*
- 12. Ensuring infrastructure, including green infrastructure and flood mitigation, are well integrated into the development;*
- 13. Incorporating, where possible, nature conservation and biodiversity*

*enhancement into the development;*

14. *Paying attention to the use of local materials, architectural styles and features that have a strong association with the area's landscape, geology and built form, with particular attention to heritage assets; and*
15. *Safeguarding the views and setting of outstanding built and natural features and skylines within and adjoining the East Riding, including those features identified in Policies A1-A6.*

*C. Innovative design incorporating new materials and technologies will be supported where the local context and sub-areas, with their diverse landscapes, geologies, historical background and built form, have been fully considered as part of the design process.*

*D. Where possible, the design of development that maximises the use of decentralised and renewable or very low carbon technologies will be supported. This includes expecting that:*

1. *Chosen technology(ies) will be operationally suitable for the development, visually acceptable and not unduly harm amenity; and*
2. *Larger developments will consider how to contribute/share technologies to meet part of their energy needs, and/or increase the sustainability of existing or new development nearby, and be capable of being adapted over time to further upgrade energy efficiency and allow alternative occupancy and/or use.'*

#### **Policy ENV2 – Promoting a High-Quality Landscape**

4.26. This policy requires that:

*'A. Development proposals should be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features. To achieve this, development should:*

1. *Protect the character and individual identity of settlements by maintaining their physical separation, including through the maintenance of the Key Open Areas identified in Policies A1-A6, where there is a risk of settlement coalescence.*
2. *Protect and enhance important open spaces within settlements which contribute to their character.*
3. *Ensure important hedgerows and trees are retained unless their removal can be justified in the wider public interest. Where important hedgerows and trees are lost replacements will usually be required.*
4. *Maintain or enhance the character and management of woodland where appropriate.*

5. *Retain, not detract from, and enhance wetland and water feature characteristics.*
6. *Protect and enhance views across valued landscape features, including flood meadows, chalk grassland, lowland heath, mudflats and salt marsh, sand dunes and chalk cliffs.*
7. *Protect and enhance the undeveloped coast.*

*B. Proposals should protect and enhance existing landscape character as described in the East Riding Landscape Character Assessment, in particular, within the following Important Landscape Areas as shown on the Policies Map:*

1. *The Yorkshire Wolds, with special attention to ensuring developments are of an appropriately high quality and will not adversely affect the historic and special character, appearance or natural conservation value.'*

#### **Policy ENV4 – Conserving and Enhancing Biodiversity and Geodiversity**

4.27. This policy requires that:

- A. Proposals that are likely to have a significant effect on an International Site will be considered in the context of the statutory protection which is afforded to the site.*
- B. Proposals that are likely to have an adverse effect on a National Site (alone or in combination) will not normally be permitted, except where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of National Sites.*
- C. Development resulting in loss or significant harm to a Local Site, or habitats or species supported by Local Sites, whether directly or indirectly, will only be supported if it can be demonstrated there is a need for the development in that location and the benefit of the development outweighs the loss or harm.*
- D. Where loss or harm to a National or Local designated site, as set out in Table 9, cannot be prevented or adequately mitigated, as a last resort, compensation for the loss/harm must be agreed. Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for.*
- E. Proposals should further the aims of the East Riding of Yorkshire Biodiversity Action Plan (ERYBAP), designated Nature Improvement Areas (NIAs) and other landscape scale biodiversity initiatives. To optimise opportunities to enhance biodiversity, proposals should seek to achieve a net gain in biodiversity where possible and will be supported where they:*
  1. *Conserve, restore, enhance or recreate biodiversity and geological interests including the Priority Habitats and Species (identified in the ERYBAP) and Local*

*Sites (identified in the Local Sites in the East Riding of Yorkshire).*

2. *Safeguard, enhance, create and connect habitat networks in order to:*
  - i. *protect, strengthen and reduce fragmentation of habitats;*
  - ii. *create a coherent ecological network that is resilient to current and future pressures;*
  - iii. *conserve and increase populations of species; and*
  - iv. *promote and enhance green infrastructure.'*

### **Policy ENV6 – Managing Environmental Hazards**

4.28. This policy states that;

“Environmental hazards... will be managed to ensure that development does not result in unacceptable consequences to its users, the wider community, and the environment.”

### **Policy A6 – Vale of York Sub-Area**

4.29. Policy A6 outlines the specific strategy for the Vale of York Sub-Area. It focuses on 4 areas; housing, economy, environment, community and infrastructure.

4.30. Housing – promotes the delivery of housing at a level commensurate with the scale and function of the settlement. As well as ensuring the housing contributes to the overall housing target in the Sub-Area.

4.31. Economy – promotes economic growth within the area, and ensures ongoing economic vitality.

4.32. Environment – seeks to enhance and protect the natural environment, as well as protect historic sites and important vistas. Preserving the character of the area, while ensuring the sub-area's flora and fauna are protected for future generations.

4.33. Community and Infrastructure – Seeks to support the provision of additional infrastructure, such as; drainage, highways, and flood alleviation schemes.

### **East Riding Local Plan Allocations Document [July 2016]**

4.34. The adopted East Riding Local Plan Allocations Document (adopted July 2016) sets out sites for development (e.g. housing and employment) and defines the Development Limits for the main settlements within the district.

4.35. The application site forms part of the BUB-B allocation, which is for residential development. This allocation was saved from the Boothferry Borough Local Plan (1999) and remains suitable for development.

- 4.36. The application's proposed site plan utilises alternate access to that which is suggested under the allocation document as the proposal site is landlocked from the western side of the allocation. This access has been approved under the Outline with Access application 22/01739/OUT and, as such is deemed to be acceptable.

### **East Riding Local Plan Update**

- 4.37. The East Riding Local Plan Update, which has not yet been adopted, is being prepared to respond to the changes in the National Planning Policy in the seven years since the current East Riding Local Plan was adopted in 2016. The Local Plan Update is designed to re-consider the development needs of East Riding for the next 15 years, following the increased emphasis on significantly boosting housing numbers nationally.
- 4.38. In accordance with Paragraph 48 of the NPPF, the weight that is to be given to relevant policies in emerging plans is dependent on the stage of preparation of the local plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency with the relevant policies of the NPPF.

### **Supplementary Planning Documents**

#### **Affordable Housing SPD (2016)**

- 4.39. The Affordable Housing SPD gives guidance on all aspects of affordable housing provision from tenure to viability assessments. Particularly pertinent to the proposal before you is Section 5 of the SPD which sets out the procedure for small sites which are part of a wider site, and the requirement to submit an Affordable Housing Statement.

#### **Sustainable Transport SPD (2016)**

- 4.40. The Sustainable Transport SPD sets out when a Transport Statement & Travel Plan would be required, in addition to this function it provides guidance on bicycle, motorcycle, and car parking requirements.

#### **Open Space SPD (2016)**

- 4.41. The Open Space SPD expands upon Policy C3 and gives further guidance on how open space provision for developments should be calculated, and when each type of open space will be required.

#### **Lower Derwent Valley SPD (2016)**

- 4.42. The Lower Derwent Valley SPD gives guidance upon and sets requirements for development within the impact zones of the Lower Derwent Valley Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar Site, and National Nature Reserve (NNR).

## **National Planning Policy Framework (2023)**

- 4.43. The following elements of the NPPF are relevant to the determination of the application, and the development plan policies should be in accordance with these policies.

### **Paragraph 8 – Achieving Sustainable Development**

- 4.44. This paragraph states that:

*“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives);*

- *A) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- *B) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- *C) An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

### **Paragraph 11 – Presumption in Favour of Sustainable Development**

- 4.45. This paragraph states that:

*“plans and decisions should apply a presumption in favour of sustainable development”*

- 4.46. For decision-making, this means

*”approving development proposals that accord with an up-to-date development plan without delay”.*

### **Paragraph 79 – Promoting Sustainable Development in Rural Areas**

- 4.47. This paragraph states that:



*“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”*

#### **Paragraph 110 – Considering Development Proposals**

4.48. This paragraph states that:

*“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- *A) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- *B) Safe and suitable access to the site can be achieved for all users;*
- *C) The design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and*
- *D) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or highway safety, can be cost-effectively mitigated to an acceptable degree.”*

4.49. The proposal is assessed against this planning policy context in Section 5 below.

#### **Paragraph 124 – Achieving Appropriate Densities**

4.50. This section seeks to ensure that developments make efficient use of land, the overarching expectation of this policy is that high densities are achieved. However, this paragraph sets out a number of considerations that may justify a reduced density to ensure compliance with other objectives of the NPPF. These considerations are set out below;

*“a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*

*b) local market conditions and viability;*

*c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*

*d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*

*e) the importance of securing well-designed, attractive and healthy places.”*

**Paragraph 174 – Conserving and Enhancing the Natural Environment**

4.51. This policy refers to how planning decisions can contribute to the environment, stating;

*“Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or with states or identified quality in the development plan);*

*b) Recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and trees and woodland;*

*c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

*f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

**Paragraph 130 – Achieving Well-Designed Places**

4.52. This policy refers to designing places to a high standard to allow for distinctiveness and a good sense of place.

*“Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

4.53. The proposal is assessed against this planning policy context in Section 5 below

## 5. Planning Analysis

- 5.1. This section of the report identifies the main planning considerations and provides an assessment of the planning merits in support of the proposed development.

### **East Riding Local Plan Strategy Document [2016]**

- 5.2. The East Riding District Local Plan was adopted in 2016 – it carries significant weight in the determination process. The following paragraphs assess the proposal against this policy context.

### **Policy S1 - Sustainable Development Principles**

- 5.3. The proposal's credentials are assessed against the three strands defining sustainable development as set out in Paragraph 8 of the NPPF [2021] below.

#### **Economic objective**

- 5.4. In bringing forward a site for residential development the proposal will contribute towards building a strong, responsive and competitive economy, supporting growth in the housing market and associated improved productivity. The proposal will assist in securing new accommodation in the District to support the requirements of existing and future residents, retaining and attracting additional spending to the District, and supporting existing industries through the build programme. The new homes will also secure additional benefits for the local authority through Council Tax receipts and local businesses will benefit through increased levels of expenditure in local shops and on local services;

#### **Social objective**

- 5.5. The proposal will support strong, vibrant and healthy communities, by providing a range of homes to meet the needs of present and future generations within Bubwith. The new homes will be appropriate to the location in design terms and occupation will assist in the maintaining demand for accessible services – supporting the community of Bubwith's health, social and cultural well-being; and

#### **Environmental objective**

- 5.6. The proposal does not result in any significant adverse impact on any recognised natural, built or historic environment assets.
- 5.7. The proposal therefore constitutes sustainable development.

**Policy S2 – Addressing Climate Change**

- 5.8. The Preliminary Ecological Appraisal [Brooks Ecological] defines the site as consisting of low-value habitat
- 5.9. The landscaping scheme submitted as part of the application shows planting throughout the site to ensure that the proposal achieves a net gain in biodiversity this is evidenced within the submitted Biodiversity Net Gain Report [Estrada Ecology].
- 5.10. Therefore, the proposed scale of 9 no. dwellings is considered to be proportionate to the services and amenities that the village has to offer, and the application complies with Policy S2.

**Policy S3 – Focusing Development**

- 5.11. Under the East Riding Settlement Hierarchy set out in Policy S3, Bubwith is defined as a Rural Service Centre. In addition to this, the proposal site is within a Local Plan allocation for Residential Development, that being, BUB-B.
- 5.12. As such, the proposal should be considered to be in accordance with Policy S3.

**Policy S5 – Delivering Housing Development**

- 5.13. This policy demonstrates how the LPA will achieve their Housing Supply through the allocation of sites for development. It specifies 3,585 dwellings to be constructed in Rural Service Centres and Primary Villages between 2012 and 2028.
- 5.14. The site at Bubwith has an allocation for residential development 'BUB-B' in the Allocations Document - Adopted in July 2016 and the proposal meets the requirements set out within the Allocations Document.
- 5.15. As such, the proposal should be considered to be in accordance with Policy S5.

**Policy H1 – Providing a Mix of Housing and Meeting Needs**

- 5.16. The proposal provides a good mix of dwellings of varying sizes, types and tenures. The proposed mix is as follows;
- 2 no. 2-bed Semi-Detached Dwellings (Affordable) [Plots 1 & 2]
  - 1 no. 2-bed Detached Dwelling (Market) [Plot 3]
  - 4 no. 3-bed Semi-Detached Dwellings (Market) [Plots 4, 5, 6 & 7]
  - 2 no. 4-bed Detached Dwellings (Market) [Plots 8 & 9]
- 5.17. This reflects the following percentage mix for market housing;

Bedroom Number	Proposed Percentage Mix	Ideal Percentage Mix
1	0%	5%
2	22%	40%
3	44%	40%
4+	22%	15%

5.18. This reflects the following mix of affordable housing;

Bedroom Number	Proposed Percentage Mix	Ideal Percentage Mix
1	0%	10%
2	100%	55%
3	0%	35%
4+	0%	0%

5.19. Considering the small unit numbers and the size constraints on site, the proposed mix should be considered to be in compliance with the objectives of Policy H1.

**Policy H2 – Providing Affordable Housing**

5.20. The proposal is for 9 units with a site area of 0.33ha and is outside of Haltemprice Settlements, and Principal Towns, The affordable housing component would be 25% - or 2.25 units.

5.21. Two affordable dwellings (Plots 1 & 2) have been shown on the Proposed Site Plan [AK Innovative Design Solution], the other 0.25 affordable units will be provided as a commuted sum.

5.22. For the reasons above the proposal should be considered to be in compliance with Policy H2.

**Policy H4 – Making the most Efficient use of Land**

5.23. The council requests a density of 30 dwellings per hectare should be achieved, the Proposed Site Plan shows 9 no. dwellings on a 0.33ha site, this equates to a density of 27 dwellings per hectare and is the maximum density achievable on-site when considering the nature of the site, particularly the long access.

- 5.24. The proposal also consists of Previously Developed Land, as defined within Annex 2 of the NPPF 2023. For convenience this definition is set out below;

*“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”*

- 5.25. As such, the proposals should be considered to accord with Policy H4.

#### **Policy EC4 – Enhancing Sustainable Transport**

- 5.26. The proposal is located within a settlement defined as a Rural Service Centre under Policy S3. As such it is a sustainable location for development, with good access to services and facilities within the village, which are easily accessible for pedestrians. In addition to this, the proposal is in close proximity to a number of bus stops which provides sustainable access to larger settlements with more services and facilities.

- 5.27. The proposal should therefore be considered to be in accordance with Policy EC4.

#### **Policy ENV1 – Integrating High-Quality Design**

- 5.28. The proposal respects the diverse character and appearance of the area, during the design process inspiration was taken from the surrounding built environment within the settlement. The material palette and architectural styles utilised within the proposal are commensurate and conscientious of the existing themes and styles found throughout the settlement through the use of two-storeys, red-brick and pantile.
- 5.29. In addition to this, although the layout proposed is not the dominant form of development in Bubwith, the proposal is congruous with other developments within the village the most obvious example of this being Highfield Grove.
- 5.30. In addition to the above, the proposal seeks to reduce carbon emissions and make prudent use of water through the application of the updated Part L building regs in the construction of the dwellings including the use of Air-source Heat Pumps.
- 5.31. As established above, the proposal provides an appropriate mix of dwellings of varying sizes,

types and tenures. The scale of each dwelling, their heights and massing are in keeping with the settlement.

- 5.32. The proposal preserves the amenity of the existing neighbouring properties, and internally provides sufficient amenity for each of the proposed plots, without causing issues of overlook, overshadow, or overdominance, and each of the gardens are sufficiently sized to provide good levels of private outdoor space for future residents.
- 5.33. The plots themselves are of a sufficient size internally that they are easily adaptable to allow for future alterations, allowing families to remain in place as they grow, and older residents to install accessible features should their mobility reduce over time.
- 5.34. The proposal incorporates hard and soft landscaping details, which enhances the setting of the buildings providing an attractive public frontage and entrance to the scheme. In doing so this has allowed the proposal to achieve a net gain in Biodiversity.
- 5.35. The proposal is also designed in a way which considers the expectations of Secured by Design, by ensuring that private space is secure, public spaces are overlooked, and where appropriate lit.
- 5.36. As such the proposal should be considered to be in accordance with the proposal.

#### **Policy ENV2 – Promoting a High-Quality Landscape**

- 5.37. The development proposal is sensitively integrated into the existing landscape and demonstrates an understanding of the intrinsic qualities of the landscape setting. Although the proposal does involve the removal of a number of trees, this is necessary to facilitate the delivery of this part of the BUB-B allocation, which is an important component of East Riding's 5 Year Housing Land Supply, and achieve the densities required in the East Riding Local Plan area. To compensate for this a significant amount of tree planting has been proposed on site, totalling 18 native mixed-species trees.
- 5.38. The Proposal is within Landscape Area 5B as set out within the East Riding of Yorkshire Council Landscape Assessment this Landscape Area has a number of defined sensitivities as set out below;
- Low-lying flat landscape below 10m AOD.
  - Relatively featureless intensively farmed arable landscape.
  - Large areas are in the riparian flood plain of the River Derwent.
  - Medium-scale fields with fragmented hedgerow boundaries. Boundaries are lost in



places though mature oak trees remain in areas.

- Open character with extensive views across the flat landscape.
- Occasional woodland blocks and fragmented tree cover contribute to extensive views that include Drax Power Station to the southwest and distant wind development mainly to the south.
- Howden is the largest settlement.
- Howden Minster is an important landmark.
- Small villages and Farmsteads are scattered throughout but overall settlement density is low. Many of these villages have Saxon origins

5.39. The proposal site itself is well screened from the surrounding landscape, and from long-distance views the development would not be impeded, with the development only obscuring views of built form rather than the wider landscape. Most of the above cited criteria are not relevant to this specific site, and the criteria which do such as the low-lying landscape, do not in themselves preclude the development as proposed for the reason stated previously.

5.40. As such the proposal should be considered to comply with Policy ENV2.

#### **Policy ENV4 – Conserving and Enhancing Biodiversity and Geodiversity**

5.41. This proposal ensures that any recreational impacts on the nearby Lower Derwent Valley SPA, SAC, and Ramsar site are accounted for, this was achieved within the submitted Habitats Regulation Assessment [Estrada Ecology], submitted in support of the Outline Application 22/01739/OUT, and Natural England did not object to the findings of that assessment. Therefore the proposed quantum of 9 no dwellings should be deemed to have acceptable levels of impact on the Lower Derwent SPA, SAC, and Ramsar Site.

5.42. In addition to the above, the Biodiversity Net Gain Report [Estrada Ecology] submitted in support of this application demonstrates that the proposal will achieve a net gain in Biodiversity maintained and secured for a period of 30 years in line with National Guidance, and the maintenance of this landscaping will be ensured by a maintenance company paid for by the future residents of the proposal.

5.43. As such the proposal should be found to be in accordance with Policy ENV4.

#### **Policy ENV6 – Managing Environmental Hazards**

5.44. The proposal has been stated to have a moderate risk of contamination within the submitted Phase 1 Desktop Contamination Assessment [EnviroSolution] which was also submitted as part

of the approved Outline Application 22/01739/OUT. As such a condition of consent was imposed to ensure that prior to commencement (with the exception of demolition) a further intrusive ground contamination assessment (Phase 2) must be submitted to the LPA and approved in writing, and where necessary, a scheme of remediation must also be submitted to the LPA and approved in writing.

- 5.45. As such the proposal should be considered to be in accordance with the objectives of Policy ENV6.

### **Policy A6 – Vale of York Sub-Area**

- 5.46. Policy A6 outlines the specific strategy for the Vale of York Sub-Area. It focuses on 4 areas; housing, economy, environment, community and infrastructure. The relevant parts of this policy are housing and the environment.
- 5.47. With regard to housing, the proposal assists in the delivery of housing at a level commensurate with the scale and function of Bubwith as a settlement, this has been confirmed by ERYC by allocating the site for Residential development of a quantum that the proposal reflects.
- 5.48. With regards to the environment, as discussed above, the submitted and approved Habitats Regulation Assessment [Estrada Ecology] and the newly submitted Biodiversity Net Gain Report [Estrada Ecology], clearly demonstrate that the proposal will preserve and enhance the natural environment in the Vale of York sub-area with no unacceptable impacts on the nearby Lower Derwent Valley SPA, SAC, & Ramsar Site.
- 5.49. As such the proposal should be considered to be in compliance with Policy A6.

### **Supplementary Planning Documents**

#### **Affordable Housing SPD (2016)**

- 5.50. The Affordable Housing SPD gives guidance on all aspects of affordable housing provision from tenure to viability assessments. Particularly pertinent to the proposal before you is Section 5 of the SPD which sets out the procedure for small sites which are part of a wider site, and the requirement to submit an Affordable Housing Statement.
- 5.51. As the proposal site is part of a wider allocation, that being BUB-B even though it is technically below the affordable housing threshold, the proposal will still be expected to deliver affordable units as the allocation taken as a whole is above the threshold.
- 5.52. In addition to the above, an Affordable Housing Statement which shares overlap with some parts of this Planning Statement has been submitted in accordance with the requirements of the Affordable Housing SPD following the format set out in Appendix 5 of the Affordable Housing SPD.

- 5.53. The proposal should therefore be considered to be in accordance with the Affordable Housing SPD.

#### **Sustainable Transport SPD (2016)**

- 5.54. The Sustainable Transport SPD sets out when a Transport Statement & Travel Plan would be required, in addition to this function it provides guidance on bicycle, motorcycle, and car parking requirements.
- 5.55. The proposal does not hit the threshold to require a Travel Plan when taken either individually or cumulatively including the wider allocation.
- 5.56. The proposal has a parking provision in line with the requirements set out within the Sustainable Transport SPD delivering at least 2 spaces for the two and three-bedroom units and at least 3 spaces for the five-bed units.
- 5.57. For the reasons above, the proposal should be considered to be in accordance with the Sustainable Transport SPD.

#### **Open Space SPD (2016)**

- 5.58. The Open Space SPD expands upon Policy C3 and gives further guidance on how open space provision for developments should be calculated, and when each type of open space will be required.
- 5.59. This proposal includes a suitable amount of provision for Open Space on site. According to the Open Space Calculator published by East Riding District Council, the proposal is required to include 156m<sup>2</sup> of Amenity Green Space.
- 5.60. 90.26m<sup>2</sup> has been proposed on the submitted Proposed Site Plan [AK Innovative Design Solution], and the remaining 65.74m<sup>2</sup> is proposed as a commuted sum payable to the council for the enhancement/creation of an off-site provision.
- 5.61. As such the proposal should be considered to be in accordance with the Open Space SPD.

#### **Lower Derwent Valley SPD (2016)**

- 5.62. The Lower Derwent Valley SPD gives guidance upon and sets requirements for development within the impact zones of the Lower Derwent Valley Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar Site, and National Nature Reserve (NNR).
- 5.63. As the proposal site falls within this zone this SPD is relevant to the determination of the application. During the prior Outline application (Ref: 22/01739/OUT) a Habitats Regulation

Assessment was submitted to the LPA for consideration and Natural England was consulted. Natural England raised no objections to the findings of the HRA, this means that they have accepted that the remedial measures proposed within that HRA effectively mitigate the minimal recreational pressure on the Lower Derwent Valley SPA, SAC, Ramsar the development will generate.

- 5.64. As such the proposal should be considered to be in accordance with the Lower Derwent Valley SPD.

### **National Planning Policy Framework (2023)**

- 5.65. The following elements of the NPPF are relevant to the determination of the application, and the development plan policies should be in accordance with these policies

#### **Paragraph 8 – Achieving Sustainable Development**

- 5.66. The sustainability credentials of the development proposal, when assessed against the three identified strands are set out below.

#### **Environmental**

- 5.67. The environmental pillar is concerned with protecting and enhancing our natural, built and historic environment.
- 5.68. This application is supported by a range of documents and reports that display how any adverse impacts either are addressed within or can be mitigated throughout the development via aptly worded conditions.
- 5.69. The reports that accompany the application demonstrate in detail how the principle of development being accepted on the site would not lead to any adverse impacts that cannot be addressed following approval with conditions.
- 5.70. Indicatively the scheme will be shown to be capable of achieving a gain in Biodiversity.

#### **Social**

- 5.71. The social pillar of sustainable development supports strong, vibrant and healthy communities by supplying an appropriate provision of housing required to meet the present and future needs of residents. It also constitutes creating a high-quality built environment, with accessible local services that reflect the community needs and support health, social and cultural well-being.
- 5.72. The development, while small, provides a significant benefit to the immediate area and contributes towards the regional and national housing targets required by an increased housing need.

- 5.73. The primary way this is achieved is through the delivery of affordable homes, in the form of 2 no. 2-bed semi-detached dwellings.
- 5.74. The private amenity provided with each dwelling will give residents opportunities to participate in recreational activities that are proven to improve physical and mental health and overall well-being.
- 5.75. A higher quality environment also allows for opportunities for social interaction between people of varying communities, bringing forward inclusion and community cohesion.

**Economic**

- 5.76. Economic sustainability is about creating a strong, responsive and competitive economy by ensuring that sufficient land of the correct type is available in the right areas at an appropriate time to allow for growth and also identifying development requirements including the provision and improvement of infrastructure.
- 5.77. Identifying the economic contribution of house building in terms of direct impacts as well as indirect and induced impacts. These benefits are usually widely categorised as;
- Capital investment and expenditure benefits;
  - Construction benefits;
  - Direct employment benefits;
  - Indirect and induced employment benefits;
  - Resident expenditure benefits;
  - Public finances;
  - Local Authority revenue benefits (Council Tax etc.); and
  - Local community benefits (From S106 agreements etc.)

- 5.78. When considered in tandem the benefits are as follows;

**Housing as a driver of Economic Growth**

- 5.79. Improving the long-term competitiveness of the economy, including through its significant network of supply chains and contracting relationships, where domestic spin-off benefits from house-building activity are far greater than for many other economic sectors.

**Delivering jobs and Economic Value**

- 5.80. House builders are a major national employer, with construction supporting more jobs compared to investment in many other areas of the economy. The construction industry provides an imperative labour market entry point for young, lower-skilled workers and those coming out of unemployment.

**Supporting labour market mobility**

- 5.81. A healthy, well-functioning labour market requires a good supply of housing. A dysfunctional housing market can inhibit market mobility and in turn, stifle economic growth.

**Sector skills and employability**

- 5.82. The house building industry offers a range of opportunities across different trades and skill sets from bricklaying and carpentry through to plumbing and maintenance. Apprenticeship opportunities are particularly prevalent and have been increasing over the last few years.

**Enhancing place competitiveness and local economic development**

- 5.83. A well-functioning housing market is considered important for an area to remain competitive and attractive to business and economic activity, which in turn will drive the economic growth the country needs currently.

**Paragraph 79 – Promoting Sustainable Development in Rural Areas**

- 5.84. This development proposal will maintain the vitality of Bubwith in delivering new residential development which will support local services, as well as encouraging the creation of new and expanded local services.
- 5.85. The proposal is in general accordance with the policy aspirations of the NPPF [2023].

## 6. Conclusion

- 6.1. This planning statement has demonstrated that the proposed site to be developed for nine dwellings meets the policy aims of the East Riding District Local Plan. It demonstrates that the proposal would deliver sustainable development – contributing significantly to the economic, social, and environmental objectives.
- 6.2. The proposal forms a part of the wider BUB-B housing allocation, and the proposal complies with the requirements of this allocation. In addition to this, the proposed site is in a sustainable location, close to the amenities provided by the village itself, making it easily accessible to the larger amenities and transport links in nearby York.
- 6.3. As outline permission with access considered has been previously approved on-site under 22/01739/OUT, only the detailed matters of scale, appearance, landscaping and layout are for consideration at this stage.
- 6.4. The site plan [AK Innovative Design] illustrates that 9 no. plots can be accommodated by the site, taking access from a single point to the south of the site on Highfield Rd built to adoptable standards, in accordance with the access drawing approved under 22/01739/OUT.
- 6.5. The proposal seeks to provide 2 no. affordable dwellings and a 0.25 commuted sum in accordance with Local Policy, and this provision will in a small way assist in addressing the shortfall of affordable housing within the district.
- 6.6. In addition to this, the proposal seeks to provide a density in line with East Riding District Council's requirements, that being 30 dwellings per hectare, and the mix of types and sizes of dwellings is broadly in line with the most recent East Riding District Council HEDNA.
- 6.7. Further to this, the Habitats Regulation Assessment and Biodiversity Net Gain Report submitted in support of this application demonstrate that local flora and fauna will be protected within the site, and the proposal will not have unacceptable impacts on the Lower Derwent Valley SPA, SAC, & Ramsar Site.
- 6.8. There are no adverse impacts that would result from the development of this site so, once the numerous merits of the scheme that have been outlined are considered, including the provision of affordable housing, this planning statement demonstrates that the proposed development is commensurate with the criteria of the NPPF and the development plan.
- 6.9. This proposal is in accordance policies of the up-to-date Hambleton Local Plan (2022). It is also in accordance with National Planning Policy Guidance and relevant supplementary planning

guidance.

- 6.10. There are no planning considerations that would preclude development, and we therefore respectfully request, in accordance with Paragraph 11 c) of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004 that this application be permitted without delay.



