

REPORT TO: Policy and Resources Committee

DATE: 12 February 2009

HEAD OF SERVICE: Gary Housden – Head of Planning

REPORTING OFFICER: Jill Thompson – Forward Planning Manager

SUBJECT: Draft for consultation Helmsley Design

Statement

WARDS AFFECTED: Helmsley

1.0 PURPOSE OF REPORT

1.1 To inform Members of the publication of the draft of the Helmsley Design Statement and to agree this Council's response.

2.0 RECOMMENDATIONS

a. That Members agree this Council's response to the draft Helmsley Design Statement as outlined in sections 5.2 to 5.8 of this report.

3.0 REASONS SUPPORTING DECISION

3.1 It is likely that the District Council will be asked to adopt the final version of the Helmsley Design Statement as a Supplementary Planning Document. On this basis it is appropriate that the Council agrees a response to the consultation draft.

4.0 BACKGROUND

4.1 The draft design statement has been prepared by the Helmsley Design Statement Working Group which consists of twelve local volunteers including four Town Councillors. It appears that a number of locally controversial planning applications within the North York Moors National Park area of Helmsley were the impetus behind the document.

- 4.2 The draft Helmsley Design Statement has been prepared following ongoing consultation and participation of various groups and individuals including: Helmsley Primary School, a representative group of teenagers, the police, NYCC Highways Department and the Helmsley in Bloom committee.
- 4.3 Residents and businesses were involved via a questionnaire and a photo competition in September 2007. The results of both were exhibited in October 2007 and further consultation took place on these results.
- 4.4 The Helmsley Design Statement Working Group / Town Council aim to have a final version of the Helmsley Design Statement adopted by Ryedale District Council and the North York Moors National Park as a Supplementary Planning Document. Members will be aware that Supplementary Planning Documents provide more detailed guidance on specific issues / areas. These documents are not subject to independent examination but must be subjected to public consultation and a Sustainability Appraisal before they can be adopted as a Supplementary Planning Document. If a final version of the document is adopted as a Supplementary Planning Document, it will mean that the Design Statement must be taken into account when decisions on planning and listed building applications in the town are made by the Local Planning Authorities.
- 4.5 Formal consultation took place from Monday 1st December 2008 to Monday 12th January 2009. The North York Moors National Park who are acting a co-ordinators of the consultation to ensure that all the legal and procedural matters are followed was advised that a formal response from Ryedale District Council will be forwarded following the meeting of this Committee.

5.0 REPORT

- 5.1 General comments of the document are outlined below whilst specific / detailed comments are contained in the table at paragraph 5.8. A full version of the draft design statement has been emailed separately to Members of the Committee.
- 5.2 It is clear from the content of the draft document that many local people have contributed to its production. It provides a good account of the key elements of the town's character, which are important to local people and it is considered that this should be noted and supported.
- 5.3 The scope of the document is considered to be wider than that which is normally associated with a Supplementary Planning Document focussed on design. A number of the design priorities / guidelines are in essence projects which would not be implemented through the

- planning system, but via other plans and strategies of partner organisations.
- Whilst it is entirely appropriate that the document outlines those issues / areas which detract from the character of the town, it cannot in isolation commit partner organisations to specific capital projects. To avoid raising public expectations, it is considered that the specific projects referred to in the Design Priorities and Guidelines accompanied by an action plan outlining the roles and responsibilities of all parties in their delivery and the likelihood of delivery.
- 5.5 It is considered that the document would benefit from more specific references to key design principles and include illustrations to reinforce these. The document could draw more explicitly on some of the content of the Conservation Area Appraisal. It is considered that this would enhance its role in supplementing existing policy and in this capacity providing necessary detailed information to developers preparing to submit new development proposals.
- 5.6 Any document can only be adopted as a Supplementary Planning Document if it complements existing Development Plan policies. It is considered that there are elements of text within section 6(a) which are concerned with influencing the future development plan and to a certain extent seek to influence policy. This is beyond the scope and role of this document as being supplementary to existing Development Plan policy.
- 5.7 Choices over the scale of new housing development and site selection will be central to the new development plan for the town which will be prepared jointly be the district Council and the National Park Authority with the engagement of the Town Council and local people. It is through this process that the views of local people will help shape the future growth of the town.

5.8 Detailed Comments

Paragraph / guideline	Comment
3 Design Priorities	Signage Plan, Design Code, Footpath Design Scheme, Traffic Management proposals are projects which need to be set
	within the context of an action / implementation plan
5(a) second	It is considered that this guideline is too tight and restrictive
guideline	especially with respect to conservatories.
5(b) fifth	Clearly the landscape of the market Place is considered to
guideline	detract from the character of the town. However, it could be
	considered as a proposed project.
5(b) sixth	Under the Planning Acts, Ryedale District Council investigates
guideline	any suspected breaches of the planning regulations as

	requested. However, in Helmsley none have resulted in the formal issue of a Section 215 Notice in the past 10 years. Those investigated have either been resolved without the need for a formal Notice or no action was necessary.	
	It is suggested that the guideline is reworded as follows:	
	"Local Planning Authorities continue to take action in relation to poor maintenance and suspected breaches of the Planning Acts."	
5(d) guideline	Define major? The Local Development Framework process will establish the scale of growth appropriate for the town and reference to "major" housing expansion, itself a subjective term, should not be included.	
6(a) fourth paragraph	It is considered that the appropriate density of new housing development will reflect the location of individual sites. A density of 30 dwellings per hectare may not be appropriate in design terms in more central locations.	
6(a) sixth and seventh paragraph	It is the role of the Local Development Framework process to determine the location of new developments in the town and the most appropriate sites.	
6(a) guideline	Final bullet is essentially policy which can only be introduced through the Local Development Framework process.	
6(b) second paragraph	It is recognised that the historic area west of Pottergate is being affected by piecemeal development. The final part of the second sentence could read: "it is recommended that the future development of this area could be the subject of further investigation with the possibility of being drawn together in a co-ordinated design brief."	
6(b) guideline	Design Schemes are projects which need to be set within the context of an action / implementation plan.	
6(c) first paragraph	The word "old" in the fourth sentence should be replaced with "existing".	
6(c) first paragraph	Renewable and low carbon energy / energy efficiency targets are established through the Development Plan process.	
6(c) third paragraph	It is considered that the document would be enhanced by specific references to these green spaces / trees / tree groups which are considered integral to the character of the town.	
6(c) third paragraph	A Master Plan for tree replacement and planting guidelines need to be set within the context of an action / implementation plan.	
6(c) fifth paragraph	The District Council is concerned about comments on litter / street cleaning. Given that the town has received consistent praise about its cleanliness (eg Britain in Bloom) it would be useful if the evidence underpinning these comments could be explained further with the District Council.	

Proposed Ryedale District Council Response

5.9 It is suggested that the comments outlined above be forwarded to the Design Group as this Council's response to the draft document. These could be accompanied by a commitment from this Authority to continue to work with the Group to progress the production of a revised document that the Council would be in a position to adopt as a Supplementary Planning Document in due course.

6.0 OPTIONS

6.1 It is appropriate that the Council provides a response to the consultation

7.0 FINANCIAL IMPLICATIONS

7.1 There are no financial implications associated with the report.

8.0 LEGAL IMPLICATIONS

- 8.1 There are no legal implications.
- 8.2 Ryedale District Council will be asked to adopt a final version of the document as a Supplementary Planning Document which will subsequently have weight in the decision making process. On this basis it is essential that the Council can support the content of the document.

9.0 ENVIRONMENTAL IMPLICATIONS

- 9.1 There are no direct environmental implications.
- 9.2 The Design Statement will assist in ensuring that the character of the town is not eroded.

10.0 RISK ASSESSMENT

10.1 The report outlines a response to a consultation document. There are no risks associated with the report.

11.0 CONCLUSION

11.1 The recommendation is appropriate based on the issues outlines in the report.

OFFICER CONTACT:

Please contact the Paula Craddock if you require any further information on the contents of this report. The Officer can be contacted at Ryedale House on 01653 600666 extn 309 or at paula.craddock@ryedale.gov.uk

Policy Context	Impact Assessment	Impact +ve -ve Neutral
Community Plan Themes (Identify any/all that apply)	Landscape and Environment	+ve
Corporate Objectives/Priorities (Identify any/all that apply)	Clean and sustainable built and natural environment	+ve
Service Priorities	To benefitthe landscape of the district by appropriate land management	
Financial	No direct financial implications	
Legal Implications	Addressed in the report	
Procurement Policies	No implications	
Asset Management Policies	No implications	
LA21 & Environment Charter	No direct implications	
Community Safety	No direct implications	
Equalities		
E-Government	No direct implications	
Risk Assessment	No risks associated with the report	
Estimated Timescale for achievement	Not established	