



PLANNING COMMITTEE

Tuesday 2 August 2016 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Minutes of meeting held on 5 July 2016** (Pages 3 - 9)
- 3 **Urgent Business**
To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.
- 4 **Declarations of Interest**
Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.
- 5 **Part B Report - Slingsby, South Holme & Fryton Design Statement** (Pages 10 - 69)
- 6 **Schedule of items to be determined by Committee** (Page 70)
- 7 **16/00354/MOUT - Land At Rear Of 56, Low Moorgate, Rillington** (Pages 71 - 128)
- 8 **16/00721/HOUSE - Rowan Cottage, School House Hill, Marishes Low Road, Low Marishes** (Pages 129 - 138)

- 9 **16/00750/FUL - Land At Croft Farm, The Lane, Gate Helmsley** (Pages 139 - 157)
- 10 **Any other business that the Chairman decides is urgent.**
- 11 **List of Applications determined under delegated Powers.** (Pages 158 - 165)
- 12 **Update on Appeal Decisions** (Pages 166 - 200)

Planning Committee

held at Council Chamber, Ryedale House, Malton
Tuesday 5 July 2016

Present

Councillors Burr MBE, Cleary, Cussons (Substitute), Farnell, Frank (Vice-Chairman), Goodrick, Maud, Thornton and Windress (Chairman)

Substitutes: Councillor D Cussons

In Attendance

Helen Bloomer, Charlotte Cornforth, Gary Housden, Mel Warters and Anthony Winship

Minutes

17 **Apologies for absence**

Apologies were received from Councillor Hope and Councillor Shields.

18 **Minutes of meeting held on 7 June 2016**

Decision

That the minutes of the Planning Committee held on 7 June 2016 be approved and signed as a correct record.

[For 7 Against 0 Abstain 1]

19 **Urgent Business**

There was no urgent business.

20 **Declarations of Interest**

Councillor	Item
Windress	14, 16
Cussons	12, 17
Farnell	15
Cleary	14
Frank	14
Goodrick	14

Thornton	14
Maud	14
Burr	5, 14

21 **Part B Report - Developer Contributions from Small Sites**

The Planning Committee considered the report of the Head of Planning & Housing which had previously been circulated.

Recommendation to Council

The Planning Committee resolved to RECOMMEND to the Council the following approach:

(i) Continue to negotiate the on-site provision of affordable housing in line with Policy SP3 of the Ryedale Plan with the exception that on-site affordable housing contributions will not be sought from sites of 10 dwellings or less and which have a maximum combined gross floor space of no more than 1,000square metres;

(ii) Continue to negotiate the on-site provision of affordable housing in line with SP3 of the Ryedale Plan with the exception that on sites of between six and ten dwellings in parishes outside of Malton, Norton and Pickering, financial contributions will be sought in lieu of the existing on-site policy requirement and that financial contributions of an equivalent of 40% of provision will be sought on such sites in west and south west Ryedale;

(iii) Not seek financial contributions from small residential sites through the planning process towards affordable housing on sites of five dwellings or less under Policy SP3 of the Ryedale Plan.

[For 7 Against 0 Abstain 1]

In accordance with the Members Code of Conduct Councillor Burr declared a personal non pecuniary but not prejudicial interest.

22 **Schedule of items to be determined by Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

23 **16/00469/73A - Willow House, Main Street , Normanby, Kirkbymoorside**

16/00469/73A - Variation of condition 05 of approval 13/00817/FUL dated 04.09.2013 to add Drawing no. 230 316 1 Rev A and Variation of Condition 16 of the same approval to add Drawing no. 230 316 1 Rev A and to replace

drawing no. 2326/4 Rev A by Drawing no. 2326/4 Rev E and Variation of Condition 12 of the same approval to replace drawing no. 2326/4 Rev A by Drawing no. 2326/4 Rev E - revisions relating to means of enclosure and landscaping (part-retrospective)

Decision				
PERMISSION GRANTED - Subject to conditions as recommended.				
[For	8	Against	0	Abstain 1]

24 **16/00729/MFUL - Gravel Pit Farm, Sand Hutton, Malton**

16/00729/MFUL - Erection of a 16,000 bird free range egg laying unit with 2 no. associated feed bins, parking/turning area and concrete apron

Decision				
PERMISSION GRANTED - Subject to conditions as recommended and an additional condition recommended by Environmental relating to management of manure.				
[For	9	Against	0	Abstain 0]

25 **16/00825/MFUL - New Cliff House, Cross Lane, Sinnington, Pickering**

16/00825/MFUL - Erection of nursery building and finishing building for the housing of pigs

Decision				
PERMISSION GRANTED - Subject to conditions as recommended.				
[For	9	Against	0	Abstain 0]

26 **16/00834/MFUL - East Heselton Wold Farm, Whin Moor Lane, West Heselton, Malton**

16/00834/MFUL - Erection of an agricultural building for the housing of pigs

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 9 Against 0 Abstain 0]

27 16/00848/MFUL - Hatfields Land Rover, Thornton Road Industrial Estate Road, Pickering

16/00848/MFUL - Demolition of existing Land Rover showroom and workshop and erection of a Land Rover dealership showroom and workshop facility with ancillary areas, outdoor vehicle display area, outdoor vehicle storage area and staff/customer parking areas with sections of additional 2.2m high wire mesh boundary fence

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 9 Against 0 Abstain 0]

28 16/00901/MFUL - West Ings Bungalow, New Road to Kirkdale Lane, Kirkbymoorside

16/00901/MFUL - Erection of an agricultural building for storage purposes following demolition of existing barn

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 9 Against 0 Abstain 0]

In accordance with the Members Code of Conduct Councillor Cussons declared a personal non pecuniary but not prejudicial interest.

29 16/00965/MFUL - Peckets Yard, East End, Sheriff Hutton

16/00965/MFUL - Erection of 1no. five bedroom dwelling, 6no. four bedroom dwellings, 1no. three bedroom dwelling and 4no. two bedroom dwellings with associated garaging, parking, amenity areas and landscaping

Decision

DEFERRED FOR A SITE VISIT - Tuesday 19 July 2016 at 10.00am.

[For 9 Against 0 Abstain 0]

30 **16/00013/MOUT - The Showfield, Pasture Lane, Malton**

16/00013/MOUT - Residential development (Use Class C3) for 87no. dwellings

Decision

PERMISSION GRANTED - Subject to conditions as recommended and the completion of a Section 106 Agreement.

[For 5 Against 4 Abstain 0]

In accordance with the Members Code of Conduct Councillors Windress, Cleary, Frank, Goodrick, Thornton, Maud and Burr declared a personal non pecuniary but not prejudicial interest.

31 **15/00423/OUT - Land at Meadowfield, 40 Thornton Road, Pickering**

15/00423/OUT - Erection of 5no. detached dwellings and formation of vehicular access together with demolition of existing dwelling and buildings

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 9 Against 0 Abstain 0]

In accordance with the Members Code of Conduct Councillor Farnell declared a personal non pecuniary but not prejudicial interest.

32 **16/00902/73A - Land North of Greys Farm, High Street, Cropton, Pickering**

16/00902/73A - Variation of Condition 18 of approval 10/01367/FUL dated 15.04.2011 to replace drawing no. H/100/12/01 with drawing nos. H/100/12/01 REV A and H/100/12/15 to regularise timber clad garage as built

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 8 Against 0 Abstain 1]

In accordance with the Members Code of Conduct Councillor Windress declared a personal non pecuniary but not prejudicial interest.

33 **16/00936/HOUSE - Rose Cottage, 2 South View, Kirby Misperton Lane, Great Habton**

16/00936/HOUSE - Erection of single storey extension to detached garage following demolition of existing stable (revised details to approval 15/01059/HOUSE dated 14.10.2015) (part-retrospective)

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For 9 Against 0 Abstain 0]

In accordance with the Members Code of Conduct Councillors Cussons, Farnell, Frank, Cleary, Goodrick, Burr, Maud, Thornton and Windress declared a personal non pecuniary but not prejudicial interest.

34 **16/00941/FUL - Shop, 42 Beverley Road, Norton, Malton**

16/00941/FUL - Change of use and alterations to post office to form 1no. bedroom annexe together with formation of vehicular access and erection of close-boarded timber fence and gate to match existing

Decision

PERMISSION GRANTED - Subject to conditions as recommended.

[For	9	Against	0	Abstain	0]
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In accordance with the Members Code of Conduct Councillors Burr and Goodrick declared a personal non pecuniary but not prejudicial interest.

35 **Any other business that the Chairman decides is urgent.**

The site visit for Item No. 13 was agreed to take place on Tuesday 19 July 2016 at 10.00am.

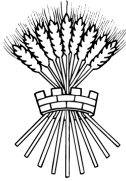
36 **List of Applications determined under delegated Powers.**

The Head of Planning & Housing submitted for information (previously circulated) a list which gave details of the applications determined by the Head of Planning & Housing in accordance with the scheme of delegated decisions.

Meeting Closed 9.05pm

Agenda Item 5

**RYEDALE
DISTRICT
COUNCIL**



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	PLANNING COMMITTEE
DATE:	2 AUGUST 2016
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	SLINGSBY, SOUTH HOLME AND FRYTON VILLAGE DESIGN STATEMENT
WARDS AFFECTED:	HOVINGHAM WARD (SLINGSBY, SOUTH HOLME AND FRYTON PARISH)

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For members to consider the Village Design Statement (VDS) and the comments received following consultation on the document and to recommend to Council that it is adopted as a Supplementary Planning Document (SPD).

2.0 RECOMMENDATION

2.1 That Council is recommended to:

- (i) Adopt the Slingsby, South Holme and Fryton Village Design Statement as a Supplementary Planning Document.

3.0 REASON FOR RECOMMENDATION

3.1 Members of the community of Slingsby, South Holme and Fryton Parish have prepared a Village Design Statement (VDS). They are keen that the document is adopted as a Supplementary Planning Document (SPD) by Ryedale District Council, as the Local Planning Authority. SPD's supplement the policies of the Development Plan for the purposes of determining planning applications and an adopted VDS has weight in the decision making process. Officers are confident that all of the necessary statutory requirements have been met to enable the Council to adopt the document.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks associated with this report. The VDS has been

PLANNING COMMITTEE

2 AUGUST 2016

produced in accordance with the statutory requirements covering the production of Supplementary Planning Documents.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Ryedale Local Development Scheme commits the authority to the preparation of Supplementary Planning Documents (SPDs) to support the implementation of the Ryedale Plan.
- 5.2 SPDs can cater for a range of topics, and it is not uncommon for Village Design Statements (VDSs) to be adopted formally as SPD's. Members will be aware that VDS are commonly used by local communities to articulate what special qualities and features contribute to a place, and thus are of value. As such, when they are capable of being adopted as SPD, they provide further information and evidence to help in the implementation of policies relating to the preservation and enhancement of the built and natural environment. Outside of the formal planning application process, VDSs can also provide a useful source of information to those seeking to undertake minor works to their properties.
- 5.3 Before a Local Planning Authority can adopt an SPD it must be satisfied that consultation has been undertaken to inform the preparation of the document and seek views on a draft version. The group who have prepared the draft version of the document have undertaken initial consultation to inform the drafting of the VDS. A draft of the VDS was then subject to public consultation between 18 April and 30 May 2016. Comments from Historic England, Natural England, The Howardian Hills AONB Manager and North Yorkshire County Council were received. The VDS and Consultation Statement, the latter details of the consultation and summaries of comments and responses are included at Appendix 1 and 2 of this report, respectively.

6.0 REPORT

- 6.1 Members will recall that a draft of the VDS was considered by this committee on 12 April of this year. Members agreed that the document be subject to formal consultation with a view to progressing its adoption as a Supplementary Planning Document.
- 6.2 The VDS is divided into themes. It provides historical context and information covering the evolution of the settlements to present day and:
- Considers the setting of the village in the countryside, including important views in and around the settlement;
 - Describes and defines the layout of the village and describes areas of differing character;
 - Provides details of the houses which create the special character of the village;
 - Describes views, setting and features through maps and photos;
 - Discusses features such as materials, roofs, utility fixtures and fittings, windows, doors, outbuildings (barns and sheds), property boundaries and gates;
 - Identifies landscape features and important trees and wildlife and habitats; and
 - Provides guidelines for future development and property alterations.

- 6.3 In addition, the VDS seeks to achieve the following:
- Identify features which should be protected/preserved;
 - Identify changes which could be harmful to the village's character; and
 - Help to guide new developments and alterations to existing buildings.
- 6.4 The aim is provide a locally-specific context to considering how new development and alterations can contribute to ensuring that Slingsby remains the attractive and valued village it is today, and that in Fryton and South Holme any new development is sensitive to its surroundings. Much of the older village of Slingsby is within a Conservation Area, and there are a number of Listed Buildings. These are statutory designations which recognise the architectural and historic character of places and buildings. The Village Design Statement can complement these existing designations, and can provide guidance, even when Local Planning Authority approval is not required.
- 6.5 Historic England had no specific comments to make, but welcomed notification of the adoption of the SPD. The Howardian Hills AONB Manager was supportive of the document's content, and sought clarification on the use of limestone. North Yorkshire County Council provided helpful comments regarding inclusion of wider sources of information, consideration of Castle Howard Registered Park and Garden, and greater clarity on the scope of the VDS. In response to this, further links have been provided to the wider landscape character assessments, and the introduction has been amended to make it clearer on the scope (i.e. area of coverage of the VDS). The Local Planning Authority and VDS group do not consider that development in Slingsby, South Holme or Fryton has any capacity to affect the setting or any significance of the Castle Howard Registered Park and Garden due to the distance, lowering in elevation and intervening undulations in the topography. Natural England's response seeks to ensure that protection of the natural environment and the promotion of biodiversity is enhanced in the document. Officers have worked with the VDS group to make it clearer within the SPD the importance of these considerations, particularly regarding Green Infrastructure, and have responded to specific requests regarding planting of trees, use of green walls/roofs, lighting by highlighting in the document, where such matters have been considered within the VDS.
- 6.6 Natural England also sought consideration as to the need for a Strategic Environmental Assessment/Habitats Regulations Assessment. The Local Planning Authority will incorporate into the Statement of Matters that it considers that the Slingsby, South Holme and Fryton Village Design Statement is a document which should not be subject to Strategic Environment Assessment. The reasons for this are: The document has a very specific scope, covering three rural settlements, and provides guidance on important design attributes of the settlements, and matters to consider in development proposals. It does not in itself identify any form of development to be undertaken within those settlements. The adoption of this Village Design Statement would provide local amplification of policies in the established Development Plan which has been subject to SEA/SA.
- 6.7 The Local Planning Authority will also incorporate into the Statement of Matters that it considers that the Slingsby, South Holme and Fryton Village Design Statement is a document which does not require a Habitats Regulations Assessment to be undertaken for the following reasons:

- This is a Village Design Statement, which does not identify or promote particular sites or forms of development. It provides design context and awareness;
- It is only applied within the context of the Development Plan which has been subjected to SA/SEA and the Habitat Regulations Assessment;
- No sites, which are of international significance for biodiversity, are within less than 8.8km from Slingsby, South Holme and Fryton.

On that basis, the application of this Village Design Statement would have no effects on the conservation objectives of Natura 2000 Sites (Special Area of Conservation/Special Protection Area sites).

6.7 It is considered that on the basis of the above, no substantive issues that have been raised by the representations received. The representations have provided the opportunity to make small scale revisions which have improved the clarity of the document.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
There are no financial implications associated with the recommendation
- b) Legal
The document has been produced in accordance with the statutory requirements covering the production of Supplementary Planning Documents
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
Once adopted as a SPD, the VDS will have weight in the decision making process.

Gary Housden

Job Title: Head of Planning and Housing

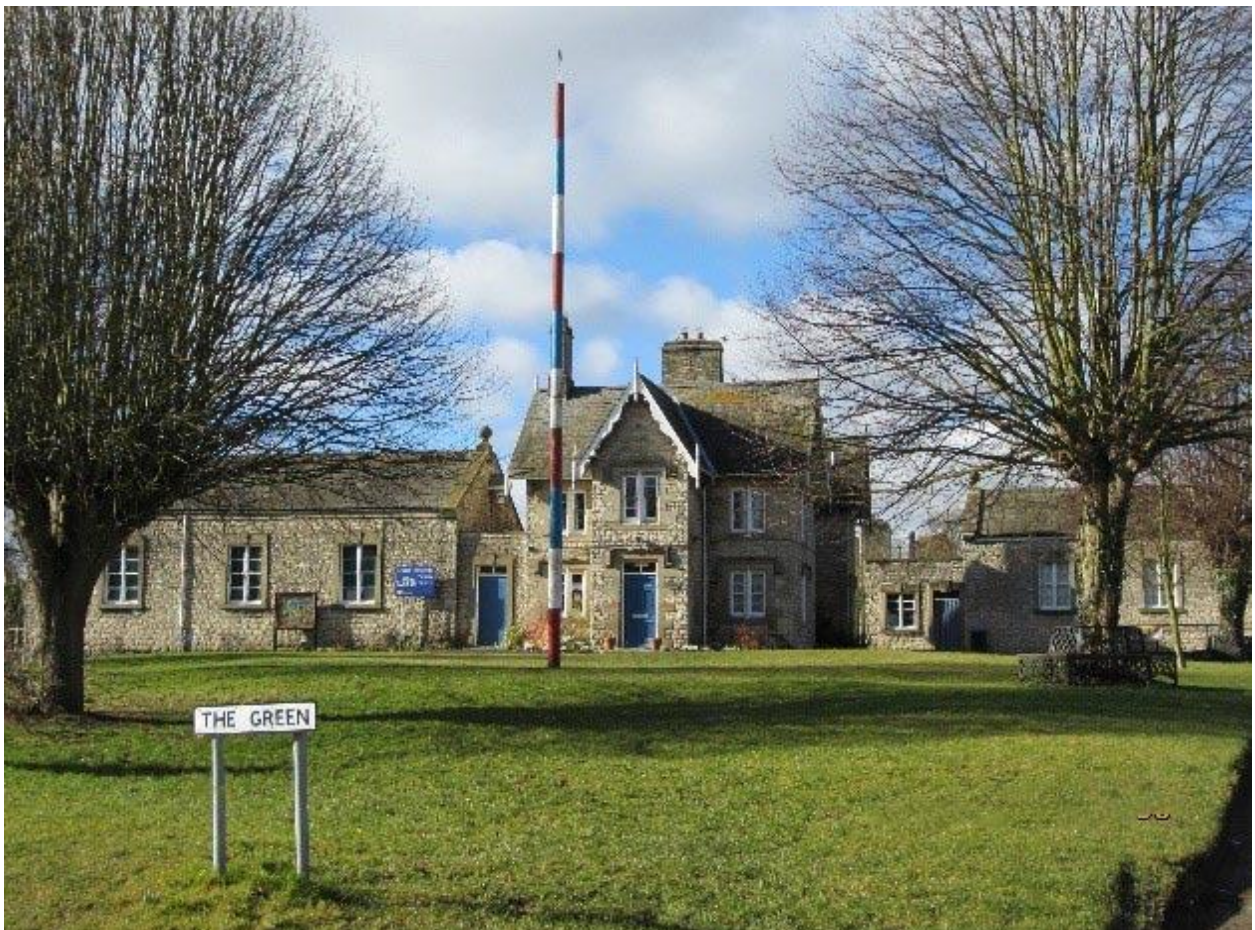
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Background Papers:

Planning Committee. 12 April 2016. Agenda Item 5.

Background Papers are available for inspection at:
www.ryedale.gov.uk

VILLAGE DESIGN STATEMENT
for
SLINGSBY, SOUTH HOLME and FRYTON
SUPPLEMENTARY PLANNING DOCUMENT



August 2016

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Front cover: The Green, Slingsby

Back cover: Slingsby Castle

Introduction

This document describes the distinctive characters of the village of Slingsby, and hamlets of South Holme and Fryton and the immediate countryside which surrounds these settlements by examining:

- the setting of the villages in the countryside;
- the layout of the villages;
- details of the houses which create the special character of the villages; and
- other special landscape features.

It identifies important features of the villages and their buildings which need to be retained if the character of the villages is to be preserved, while recognising that Slingsby is a working village. It also seeks to identify changes which could be harmful to the character of these settlements. The focus of the document is on Slingsby, as it is the largest settlement in the Parish and subject to more development than the hamlets of South Holme and Fryton.

It is intended to be of help and guidance for any new developments in the village as well as for small alterations to existing properties.

As a Supplementary Planning Document, it has weight when future planning applications affecting the village are considered, and is intended to be a guide to all those involved in such applications.

Maps showing the extent of the settlements; the surrounding fields; and the Slingsby Conservation Area Designation are shown in Appendix H.



Slingsby from the air (Steve Allen Photography)

General description of Slingsby, South Holme and Fryton

Slingsby is one of five villages around Castle Howard developed from older settlements by the Earls of Carlisle from the late 18th century. It lies on the line of the former Roman road now known as 'The Street', namely the B1257 that runs westwards from Malton. The main road passes through the south of the village but the settlement is centred on lower ground to the north. The village is characterised by its open views across the fields which surround it. Minor roads from the north and south also meet at the village. The approach from the south via Castle Howard gives a popular panoramic view of the whole of the Vale of Pickering, with the North York Moors beyond. In the foreground of this view Slingsby is laid out below with the ruined castle and its stone buildings with red pantiled roofs. The ridge, known as The Sheep Walk, forms the notional southern extent of the village. It is part of an ancient trackway which follows the line of the east/west ridge from Malton to Hovingham.



View of Slingsby from The Sheep Walk

The village is approached from the north through South Holme where the road is low-lying with high hedges and hedgerow trees. The track that was the former railway line, which closed in the 1960s, marks the northern boundary of the main village.

Approaches to Slingsby:



From the west



From the east



From the south

The western approach from Hovingham gives a clear and well-loved view across open fields, towards the village sportsfield and the three iconic listed buildings: the ruin of Slingsby Castle, All Saints Church and the fine Georgian Old Rectory.



View towards Slingsby from Fryton

The older, central part of the village includes High Street (the original main village street), The Green with an historic maypole, the area around All Saints Church, the Castle and Railway Street. The buildings here are mostly stone and traditional in appearance. The eastern approach to the village is via The Balk, a modern road developed from a trackway; the road is flanked by a striking avenue of large mature sycamore and horse chestnut trees, which present the main view of the village from the east. Wyville Hall, with its steeply pitched roof, is the oldest house in the village and is possibly on the site of one of the original manor houses.



Wyville Hall

The village stretches away to the north from The Green along Railway Street, a long street with an open feel, characterised by individual, mainly detached, stone houses, many dating from the late 18th/early 19th century. These include The Grapes Inn, which has traded since the late 17th century. On the eastern side of the street the houses are set back behind a wide verge and footpath, and in many cases behind stone boundary walls.

Modern development is limited mainly to the south-eastern quarter of the village, where there is a mixture of bungalows and two-storey dwellings. These have been built since the late 1980s in a restrained modern style in brick, free of complicated detailing, as in Sycamore Close.



Sycamore Close, Slingsby

Slingsby has a number of independent working businesses. Originally a farming community, there are still farms on the outskirts of the village. At the time of writing there is a village shop and a bus service. Tourism is important for the local economy, with various businesses, including two well-screened caravan sites.

Two miles to the north, **South Holme** is a small hamlet sited on slightly raised ground. It consists of three working farms, including West Farm, a listed property, and a small group of houses, including Manor Farm, a large prominently placed listed building, now a private house.



West Farm, South Holme



Manor Farm, South Holme

Fryton lies about half a mile to the west of Slingsby. It consists of a single linear street running north/south, originally serving four good-sized early 19th- century farms with associated barns and cottages, with a few modern additions. Two working farms remain, Cherrygarth Farm and North Farm, while other traditional farm buildings have been converted to permanent residential and holiday accommodation. Fryton is surrounded by open fields.



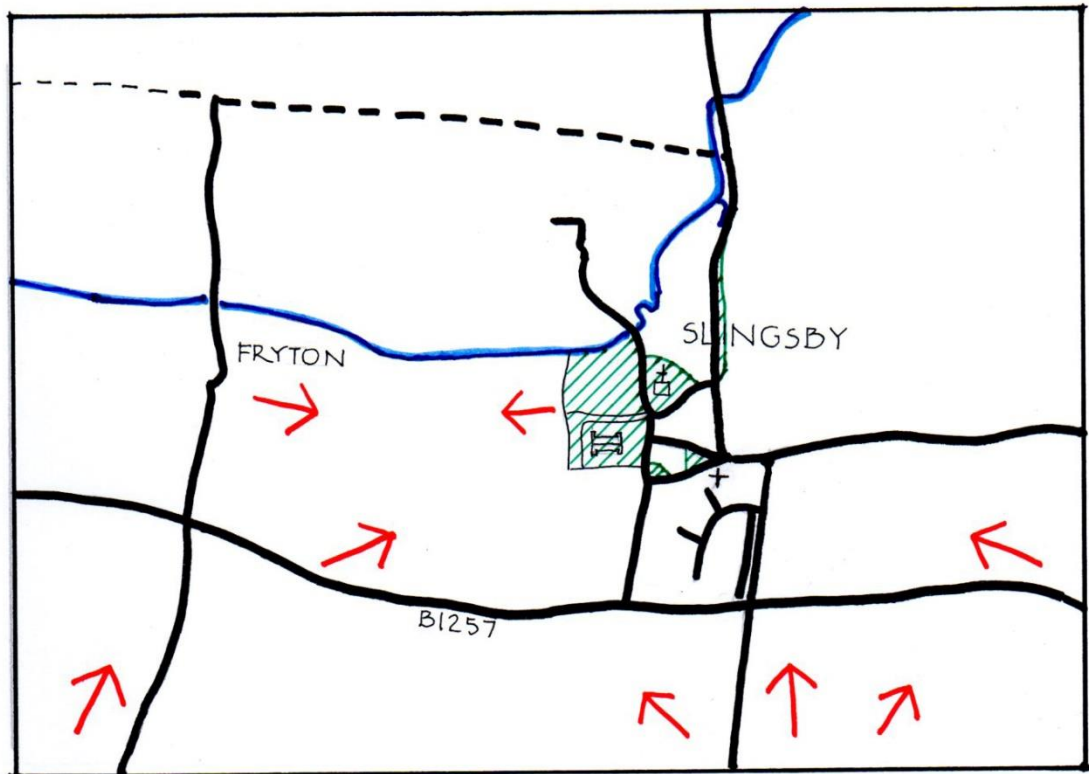
Fryton from Fryton Lane



Fryton



Cherrygarth Farm, Fryton



Important protected views and open green spaces

Historical context

The village of Slingsby developed from a small Danish settlement of the 9th or 10th century called *Selungesbi* or *Eslingesbi* (house of Sleng or Eslinc); probably comprising a house in an enclosed garth with huts for servants. By the time of the Domesday Book in 1086, the Manor of Slingsby had two manor houses, a priest and about 2,500 acres (1,012 hectares) of land. The land would have been divided into strips separated by turf banks which set the pattern for the future field and plot layout. The first recorded church building dates from the mid-12th century.

In the late 12th century, the two manor houses in Slingsby were held by the Wyville family. Wyville Hall, though much altered and possibly rebuilt, is one of the oldest houses in the village. The family's second manor house was sold to the Hastings family in the mid-14th century and was gradually converted into a castle with crenellations, ramparts and a barbican. It is thought that the main approach to the castle was from the east, and that there would have been a gatehouse on that side. The smaller buildings of medieval Slingsby would have been clustered around the entrance to the castle, and as a result the village grew up on the east side. When Lord William Hastings was beheaded in 1483 on the orders of Richard III, the castle fell into ruins.

In 1594, Sir Charles Cavendish (son of Bess of Hardwick) purchased the Manors of Slingsby and Fryton. His son, also Charles, started to build a large house on the site of the medieval castle, but the work was never completed because of the Civil War and it fell into the ruin that can still be seen today.



The ruins of Slingsby Castle

The purchase of Slingsby (and Fryton) Manor by the Earl of Carlisle in the early 18th century is probably the most significant event in the development of the village. Construction of Castle Howard had begun in 1699 and the surrounding villages were developed to support the Estate. Many of the stone farmhouses and cottages in the village date from this time. The Old Rectory was built in 1740.

By this time the pattern of roads and plots which are still recognisable today was fully established, having developed from the fields and plots of the medieval period. The farmsteads at Fryton and South Holme were improved with larger buildings and substantial ranges of outbuildings, but the number of households did not seem to increase. Slingsby, on the other hand, began to increase noticeably in size during the last quarter of the 18th century. Numerous smaller cottages and houses, built in the local limestone, were constructed during the 18th and 19th centuries.

The Methodist Church was built in 1837 and the Reading Room shortly afterwards. The school was built in 1860. A little later the avenue of trees along The Balk was planted.



The School, School House and Reading Room



High Street



Methodist Church



The Balk

There were two public houses: The Howard Arms on Malton Road and The Three Tuns (later The Grapes Inn) in Railway Street. In 1867 a new church was built – a direct copy of the one it replaced.

Another significant event in the development of Slingsby was the opening of the Thirsk/Malton railway line in 1846 and the opening of Slingsby railway station in 1853. The railway passed along the north side of the village and as a result the road running to the north towards South Holme became Railway Street, and developed into the central village thoroughfare.



Slingsby station



Railway Street

The second half of the 19th century saw the village at its largest. In 1861 the population peaked at 707, but by 1901 it had fallen back to 454 (roughly the level it had been in 1801).

The size and shape of the village changed little over the first half of the 20th century. The main occupation continued to be agriculture, with more than a dozen working farms in the village plus other smaller holdings. Nearly all households still tended to keep livestock, as can be seen from the abundance of small sheds, styes and stables in back gardens. The Village Hall was built in 1931 and management of the sportsfield was taken over by the village in 1935, with subsequent improvement to the facilities. 'The Lawns' area of the village originally formed part of the parkland associated with the Castle, and was probably used in medieval times as communal land for grazing and cultivation by serfs or tenants.

During the Second World War, Slingsby was used as a training centre by the Army. Several buildings were taken over; for example, the Village Hall was turned into the Army canteen and officers' horses were stabled in the Castle undercroft. The school took in 113 children evacuated from Hull, Hartlepool and Middlesbrough and they were billeted in local households.



Soldiers in High Street during World War II

After the war, houses of a more modern style appeared in the village, such as the redbrick council houses in Balksyde and High Street. Since 1983, small estates of brick houses have been built (Sycamore Close, Aspen Way, Porch Farm Close) and infill development has taken place. Two caravan sites have been created. The village has not expanded its boundaries very much, except on the eastern side, but it has become more densely populated. The population in 2012 was estimated at 610 compared with 550 in 1996. Private ownership now exceeds Castle Howard Estate ownership in the village.

South Holme and Fryton, while still relatively small, have also changed since the war with the construction of some council housing and, in the case of Fryton, some new private development with the conversion of redundant farm buildings.

The character of village housing

Slingsby is an estate village of Castle Howard, and the setting, context, materials and form of its houses reflect this and contribute to its modern character. The earliest surviving buildings in the village are the Castle, Wyville Hall and the Old Rectory. Most of the farmhouses and cottages were rebuilt in the 19th century by the Castle Howard Estate. This wave of rebuilding and 'improvement' created the essential character of the village as it survives today.

The village houses are located in four main areas: High Street; the Village Green; Railway Street; and Balksyde, Sycamore Close and Aspen Way, which are modern 20th-century developments. The Green lies at the heart of the village layout, with its iconic maypole, School and Reading Rooms surrounded by a mix of 19th-century and later farms and houses, the Methodist Chapel and more recent developments such as Green Crescent.

The buildings along High Street and Railway Street create attractive ribbons of housing with characteristic long garden plots, framing The Green and the area around the Castle and church.



High Street



Railway Street

Materials

The majority of traditional houses in Slingsby are built of locally sourced Jurassic limestone. This stone is an attractive, warm white colour which reflects the changing light and muted palette of the North Yorkshire countryside. On the façades of buildings, the brick is usually coursed in blocks finished with 'hammer-dressing', with plainer stone dressings around windows and doors. Gable ends are often rubble and only roughly coursed. Traditionally, Slingsby's buildings were pointed using lime mortar, which allows the stone to breathe and weather, but this has sadly been replaced on many buildings with dark grey cementitious pointing which has an adverse effect on its weathering and ability to breathe. Prospect House, The Green is a wonderful example of the beneficial impact of recent repointing using lime mortar.



Lime mortar pointing



Cementitious pointing



Lime pointing at Prospect House

Roofs

Most roofs in Slingsby are of traditional curved red clay pantiles, with more recent additions weathering pleasingly to match the character of the old. A few houses, especially those built in brick in the 19th and early 20th century, were built with dark grey natural Welsh slate roofs. Several roofs of the larger farmhouses and even some cottages have gable copings which terminate in carved 'kneeler' stones.



Clay pantiles and stone



Natural slate roof



Natural stone 'kneeler'

Many roofs preserve cast iron half-round gutters and downpipes, usually painted dark brown or black and supported by small brackets. These define and enhance the roofline, building façade streetscape and their replacement by grey plastic modern alternatives is a disappointing, lower-quality alternative.

In general, **chimney stacks** are located at the end of roofs and are of weathered hand-made or clamp-type brick, with a pleasing variety of red and cream chimney pots, many of which have been sensitively altered with guards/vents for log-burning fires. Inevitably, chimney stacks and roofs are also characterised by television aerials, although it should be noted that there are relatively few satellite dishes visible on houses in the older parts of the village.



Chimney stack



Downpipe

Utility fixtures and fittings

In general, phone lines and cables are sensitively routed along the line of gutters, downpipes and around doorways. Other modern fixtures and fittings such as letter boxes, key boxes and alarm boxes, house signs and notices can be added/positioned in a manner that would not unduly detract from the building's appearance or the street scene.

Windows

Many 19th-century houses in Slingsby preserve original **sash windows** which are set back slightly from the wall face, with projecting stone sills and timber or stone lintels above. These can be straight or wedge-shaped, and some have keystones. Some windows, especially those at the rear of properties, are Yorkshire sliding sashes. Some unrestored windows preserve their original crown or plate glass. Internally, many of these windows used to have shutters. Dormer windows have been added to several houses, usually formed within the roof space with the effect of lowering the eaves level. These are traditionally not much wider than the glazed area, with leaded flat roofs or a simple pitched roof. Velux windows maximising loft space and solar panels are usually added to the rear of properties to minimise impact on the streetscape.

In recent years, many windows have been replaced sensitively using traditional wooden frames with double glazing, which preserves the original form, relationship and visual aesthetic of the façade. However, some windows have been replaced with UPVC windows of modern character, set flush with the wall face, and use internal glazing bars (these sit between glass panes). These can be visually intrusive and adversely alter the character of the building itself, but also the street scene.



Traditional sash window



Yorkshire sliding sash



Modern sash window



Modern sash window



UPVC window

Doors

Several 19th-century houses preserve their original wooden **front doors**, which are usually of a relatively simple four- or six-panel form. Some are half-glazed. Vertical board doors are also reasonably common. Simple divided lights above doors are most common. Original surviving door furniture includes small letter boxes and door knobs.



Old front door



New front door

Knockers, house numbers and signs are usually later additions. Porches are rare and mostly later additions. Modern replacements of doors and door furniture have become increasingly sympathetic to original designs. Although the use of UPVC and modern door designs in the modern housing developments in Slingsby is common, they can be visually intrusive and detract from the character of the streetscape in older areas of the village.



Porch



Door of Dosser's House



Old door knob



Old letter box

Outbuildings, barns and sheds

A notable feature of many of the houses in Slingsby is their direct or near-direct entry from the street, and long garden plots running back from the street frontage behind these houses, containing the remnants of outhouses, barns, stables and orchards. This reflects the fact that traditionally most residents combined some form of industry or retail with small-scale farming.

Whilst the outbuildings, barns, sheds and stables behind many houses are not necessarily aesthetically or architecturally significant, they are an important reminder of the mixed domestic, agricultural and industrial activities of Slingsby's former residents. They are vulnerable to infill and encroachment, although there have been many sensitive and successful barn and outbuilding conversions which do not detract from this overall character.



Outbuildings in Railway Street

Property boundaries and gates

Throughout the village there is a mix of boundary treatment. Most 18th- and 19th-century houses on High Street, Railway Street and The Green open directly onto the street. Those

that do not generally have traditional stone walls of varying heights forming frontage boundaries, and in some cases internal boundaries too. In a few cases the walls have been supplemented with hedges or metal rails; a good example of the latter can be found at Linden House on The Green. These traditional low-level features successfully define property boundaries but permit visual access into gateways and driveways. Recent replacements of cast iron railings and modern small wicket gates or traditional timber five-bar gates preserve this characteristic successfully. Wooden fencing is largely absent, except on the new housing estates.

Rear boundaries on the eastern side of Railway Street adjacent to open countryside are mainly hedged interspersed with native trees, whilst those on the opposite side of the street are formed by a mixture of stone walls, buildings and mixed hedges.

The modern development on Sycamore Close is in some instances open-plan or with hedge boundaries, many of low manicured beech. Aspen Way to the east of The Balk is completely open-plan.



Aspen Way looking west towards The Balk

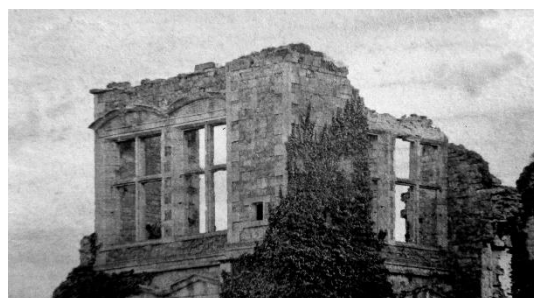
Individual buildings in Slingsby

Listed buildings

There are several prominent buildings in Slingsby which reflect the village's changing architectural character.



Slingsby Castle



Window detail on Slingsby Castle



The Old Rectory



All Saints Church

These three buildings create a distinctive group within the Conservation Area.

Slingsby Castle is a nationally significant, 17th-century Grade II listed building set within a distinctive moated landscape. It is also a Scheduled Monument. It is unusual in that, although it is a castle, it contains Classical architectural features and was probably designed by one of the country's first named architects, Robert Smythson, for the Cavendish family. It probably sits on the site of an earlier castle and is now ruinous.

All Saints Church, Slingsby is a Grade II* listed building rebuilt 1867-69 by the architect R. J. Johnson for Castle Howard in sandstone, mimicking the late medieval 'Perpendicular' form of the earlier church, and incorporating limestone columns from this building in the interior and re-used 'cross-slabs' in the base of the tower.

The **Old Rectory** is a Grade II listed building of the 18th century. It is an excellent example of Georgian architecture featuring a Classical façade, with well-preserved sash windows, doorway and an earlier range to the rear.

Two other intriguing early buildings in the village are **Wyville Hall** and **Wyville Cottage**, which are thought to be 17th century in origin but appear to be on the site of the medieval Wyville Hall.



Wyville Hall and Wyville Cottage

Buildings on the Green

Several important buildings on the Green are Grade II listed. They include:

The **Wesleyan Methodist Church** built in 1837 with a later addition of the late 19th century;

The **Reading Room** built in the early-mid 19th century;

The **School and School House** built in the mid-19th century.



Methodist Church



Reading Room



School and School House

Other houses on The Green include **Glebe Cottage**, one of the village's earliest cottages dating to the mid-late 18th century; **Porch Farmhouse**, an 18th-century building with 19th-century alterations and a re-used 17th-century frieze in the porch; **Dosser's House** of the early 19th century whose doorway preserves a Tobacconist's frieze with cartouches; and **Linden House** dating to c. 1840.



Glebe Cottage



Porch Farmhouse



Linden House



Dosser's House

Houses on High Street

High Street preserves several 18th-century farmhouses, including **Castle Farmhouse**, a Grade II listed house of late 18th-century date; **Castle House** and **Ivy Cottage**, a pair of mid-late 18th-century houses; **Grey Gables**, an early-mid 19th-century farmhouse; **Bransdale** and **Bag End** cottages, built in the early 19th century; and slightly larger early 19th-century **West Flatts Farmhouse**.



Castle House and Ivy Cottage



Cottages in High Street



Bag End and Bransdale cottages



Castle Farmhouse



Grey Gables

Houses in Railway Street

Railway Street preserves a mix of Grade II housing, including: **Toby's Cottage**, a Grade II listed building which appears to be of early 19th-century date, encasing an earlier timber frame; mid-18th century examples such as **Fern Cottage** and **Grange House**; **Wheatlands Farmhouse**, a late 18th-century building; and **Home Farmhouse** of c.1830-40. There is also a row of four listed 19th-century cottages on the west side of Railway Street which preserve a variety of features and evidence of alteration.



Home Farm



Fern Cottage

All the listed buildings in Slingsby, South Holme and Fryton are named in Appendix B.

Unlisted houses, industrial and commercial buildings

There are many unlisted buildings in the village, which nevertheless contribute to its character. Some, such as **Slingsby Hall** and the **Dower House**, make distinctive architectural statements; others such as the late 19th and early 20th century **estate cottages built by Castle Howard** at the edge of The Green or the houses on **The Lawns** continue to preserve and enhance the essential vernacular character of the village. Some buildings, including **The Grapes Inn** (a Grade II listed building dating from the late 18th century, with earlier cellars), **The Old Station**, the **Blacksmith's Forge**, and the former **Co-Operative Store** on Railway Street, and **Prospect House** and **Castle Farm** on High Street preserve evidence of the industrial and commercial life of the village in the past and present.



Slingsby Hall



The Dower House



Estate house on The Green



Prospect House, High Street



The Grapes Inn

Landscape features

Slingsby lies on the northern edge of the Howardian Hills Area of Outstanding Natural Beauty (AONB), the southern part of the parish being within the AONB and consisting of typical rolling countryside clothed with a patchwork of blocks of commercial and native woodlands. The remaining agricultural land surrounding the village is a predominantly flat landscape of fields with hedged boundaries and hedgerow trees, some of the oldest oaks and ashes being over 200 years old.

Within the village, although trees have not been historically planted along the original streets owing to the lack of space, there are numerous large mature trees throughout the old village gardens, especially those properties which date from the Victorian era and earlier, where specimens of beech, sycamore, maple, birch, lime, pine, cypress and yew have become prominent features locally. The long rear gardens of properties on the eastern side of Railway Street include numerous trees which, although not highly visible from the village street, are readily viewed along the public right of way to the east and from Green Dyke Lane. Many of these trees are within the Slingsby Conservation Area. In the gardens of the more recent development on Sycamore Close and Aspen Way ornament species of rowan, cherry, maple and birch planted in the 1970s, 80s and early 1990s are now maturing.

Important groups of trees are to be found in the following locations:

The Balk: a beautiful avenue of sycamores and horse chestnuts dating back to the end of the 18th or beginning of the 19th century are protected under the oldest Tree Preservation Order administered by Ryedale District Council, made in 1948 under the original Town & Country Planning Act. Over the years one or two of these trees have been lost along the western side of the avenue, but replacement trees planted in the 1970s and 1980s are maturing well.



The Balk looking north

These trees are a strong landscape feature viewed from the eastern approach to the village and from Slingsby Bank to the south, forming a pleasant entrance into the village. They also provide an attractive backdrop to properties on Sycamore Close and are visually prominent from Aspen Way to the east, and when travelling south along Railway Street towards The Green.



The Balk from the eastern approach



The Balk from the southern approach

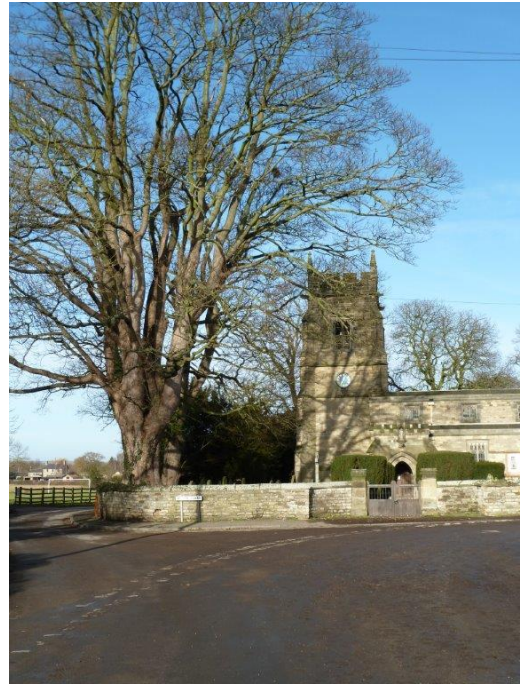
In the garden of **Wyville Hall** there are two maturing copper beech trees, the more westerly tree being a fine specimen and protected by a Tree Preservation Order.

On **The Green**, a group of five mature lime trees planted at the turn of the last century form a prominent feature in the centre of the village. These trees are periodically pollarded to keep them in check in their limited surroundings.



Lime trees on The Green

On High Street looking north, the view of **All Saints Church** is dominated by a magnificent sycamore tree close to the western boundary wall of the churchyard. It was planted in the late 18th century and stands c.22 metres tall, and is one of the tallest trees in the village. Mature beech and horse chestnut also form a pleasant backdrop to the church from this viewpoint.



Sycamore in the churchyard

The large mature lime tree in the north-western corner of the churchyard dates back to the late 19th century and was probably planted about the same time the current church was built (1867-9). An avenue of Irish yews lines the footpath from the church gate to the church door. Owing to encroachment over the footpath the yews were heavily pruned at the end of 2013, and enclosed within locally made metal pyramidal frames which will form the new formal clipped shape of the yews as they regenerate.



Yew trees before pruning ...



... and after

The Old Rectory and several properties along **The Lawns** contain numerous mature trees, including beech, birch, horse chestnut, sycamore, lime and maple, plus several coniferous species such as yew and cypress.

At the eastern end of Church Lane at the junction with Railway Street, a mature group of yews growing adjacent to the northern boundary of a property known as **The Yews** dominates this part of the lane, and forms a prominent feature when approaching the junction from the north along Railway Street. There is a tall mature lime tree adjacent to the eastern boundary wall of **The Hall**.



Lime tree at The Hall, Railway Street

Further north along Railway Street, a mature yew and a large birch on the frontage of **Burwood** and another even larger yew at **Brook House**, all on the eastern side of the street, are prominent features. At the edge of the village, two mature weeping willows on the bank of **Wath Beck** dominate the skyline.

The oldest tree in the parish is the **Mowbray Oak**, which stands in what was known as Priests Field to the north-west of Church Lane.



The Mowbray Oak

This is a truly ancient tree which is completely hollow. The tree is referred to in the book entitled 'Slingsby and Slingsby Castle', published in 1904, written by the Rev. Walker, Rector of Slingsby at the time. In the book there is a photograph of the tree taken at that time – it does not look much different today. The author commented that the tree was said to be possibly 200 years old, but he felt that this was exaggerated and that the tree was probably nowhere near that age. However, more recent methods of calculating the age of old trees suggests that the tree is more likely to be around 450 years old, surviving fires in the late 19th century and more recently in the 1980s. Thankfully, the tree is in the ownership of a sympathetic owner, who allowed the District Council to fence it off in 2000 in accordance with the Woodland Trust's recommendations. The fencing prevents grazing livestock from congregating under the tree and compacting the soil through trampling, as had been occurring at the time. The Mowbray Oak is protected under a Tree Preservation Order. The western boundary of this field also contains at least two veteran sycamores.

Wildlife, habitats and green infrastructure

Ryedale is predominantly a rural District and therefore most settlements within it are diverse in wildlife habitats. The Ryedale Biodiversity Action Plan focuses mainly on habitats and species associated either with farmland or semi-natural places which support a wide range of habitats and features of wildlife habitats and conservation interests. Slingsby parish is no exception to this and has several of these features, including the churchyard which contains veteran sycamore trees and the associated wildlife typical of such aged trees, and of course the Mowbray Oak, which supports fauna and flora dependent upon its existence. The network of old hedgerows throughout the parish provides a highway for all forms of wildlife from insects to birds, whilst **Wath Beck**, which passes along the north-western section of Slingsby and west to Fryton, harbours numerous waterborne inhabitants. Several species of bats are common in the area, especially in Slingsby Castle, and both they and their habitats are legally protected; Appendix D gives further advice. As well as natural features, the recently formed allotments at the northern end of Slingsby are contributing to the parish's wildlife habitats and form an important habitat for declining birds, such as the song thrush and house sparrow. Finally, gardens filled with amenity planting and individual trees form important nesting sites for song birds and the food chain that supports them.

Public consultation

A survey of residents was carried out prior to the preparation of this Village Design Statement. Opinions were sought on: favourite/least favourite buildings, open spaces, streets, views and other features; the special characteristics that were particularly valued; and suggestions for changes and improvements. Details are contained in Appendix A.

Guidelines for future development and property alterations in Slingsby, South Holme and Fryton

Landscape context and village character

- Important views and open spaces, as identified by the VDS survey and document, should be protected and not altered through insensitive and piecemeal ribbon development. New developments should retain and respect these important aspects of village character.
- Important trees or groups of trees, as identified in this VDS document, should be preserved and properly maintained. New developments should enhance the streetscape and landscape setting using native species. Trees should not be planted in positions that obscure views of traditional stone frontages.
- Slingsby has traditionally consisted of farms, alongside a mix of small-scale commercial, retail and residential properties. This diversity is an essential part of the village's character. Non-domestic use of buildings should therefore be encouraged, where development proposals respect and contribute to the preservation of this character.

Buildings

- Within the older parts of the village and particularly within the Conservation Area, new buildings should be built with traditional materials: limestone (source and type to be discussed on a case-by-case basis) with clay pantiles or slate roofs and sympathetic fenestration.
- Alterations and maintenance of existing buildings should always seek to use traditional materials, such as lime mortar and clay pantiles, rather than modern alternatives which will not work with traditional materials.
- Alterations and additions to existing buildings, including porches, extensions and conservatories, should respect their scale, and preserve and enhance their character, using traditional materials and forms of fenestration, doors and door furniture where appropriate. Roof lights and solar panels should be added sympathetically, preferably to the rear of houses. Cables on the front of houses should be kept to a minimum.
- New housing schemes should seek to provide a mixture of additional houses, predominantly smaller and affordable homes and off-street parking to the rear. Forms of housing for which there is no architectural precedent in the village, such as three-storeys above ground level, should be avoided.
- Developers are reminded to reduce reliance on fossil fuels. Slingsby, South Holme and Fryton are mainly dependent on oil as the primary means of energy, and therefore maximum efficiency in energy should be encouraged as a desirable objective.
- Developers are also encouraged to incorporate measures which promote biodiversity.
- Developers and householders should be aware of the possibility of the presence of bats and other protected species in their property. Bats and their habitats are protected by

law and specialist advice must be sought if evidence of their presence is found. See Appendix D for further advice.

Streetscapes and boundaries

- The Green and wide grass verges seen throughout Slingsby should be retained and maintained. Boundaries of traditional dry-stone walling should also be preserved and conserved.
- Alterations to existing boundaries and new boundaries should use traditional forms and materials, such as low stone walls, pale fencing and railings, and hedges interspersed, to the rear of properties, with native trees.
- Front gardens and driveways should use grass verges, flower beds, gravel or traditional sandstone paving which is sustainable and permeable.
- Street lighting should be carefully designed to enhance the character of the streetscape and minimise light pollution. Security lights should be avoided, especially on the front of buildings.
- Signage and street furniture should be appropriate to the traditional streetscape of the villages.

Outbuildings

- Outbuildings are an important reminder of the agricultural and industrial activities of the villages in the past and enhance the character of houses and plots. Traditional masonry outbuildings should be maintained and where possible historic features such as chimneys, doors, and fixtures and fittings should be retained.

Farm buildings

- Alterations to existing farm buildings and new farm buildings should use traditional materials and respect the scale and context of their setting.

Services

- The current drainage and IT infrastructure of the villages is at capacity. Future developments should seek to enhance and increase capacity rather than overload existing services.
- Road drains and ditches should be monitored and maintained to ensure that flooding of domestic properties is avoided.
- The rural character of roads through the villages should be preserved with minimal street furniture, kerbing and road marking to avoid suburbanisation.
- A well-designed bus shelter on The Green would be a useful amenity for elderly residents and young people who make regular use of the bus services in the village.

Conclusion

This Village Design Statement highlights the important historical, architectural and landscape features of Slingsby, South Holme and Fryton which should be protected in future developments. It encourages good, sympathetic design for new housing and for extensions or alterations to existing buildings, using traditional or appropriate modern materials. It aims to preserve the local environment by the sensitive use of boundaries, street lighting and street furniture, and encourages the maintenance of significant features like The Green, the wide grass verges, Wath Beck, and the many important trees. It also urges that when planning future development due consideration is given to the long views which are so highly valued by residents.

By following these guidelines the special character of Slingsby, South Holme and Fryton can be preserved for future generations.



*Maypole dancing on The Green in Slingsby
(Richard Flint Photography)*

Appendix A: Results of Public Consultation

A survey of residents was carried out prior to the preparation of this Village Design Statement. Opinions were sought on: favourite/least favourite buildings, open spaces, streets, views and other features; the special characteristics that were particularly valued; and suggestions for changes and improvements.

The most liked buildings are centred around The Green and the older core of Slingsby village. The School and Reading Room, the Chapel and School Room, and Porch Farmhouse are the most popular, with the Castle and All Saints Church in close second place. The older stone buildings in the centre of the village are admired for their timeless character, although some are not liked where their character has been changed by using windows of modern design and alterations that are not in keeping.

The Village Green and the sportsfield are the favourite open spaces. Also mentioned was the Mowbray Oak field and the west side of Railway Street where a weeping willow overhangs the stream. Railway Street is admired for its open feel and the way the stone houses are set back behind deep grass verges and footpaths.

Railway Street was voted the favourite street, along with The Green and its old estate houses with their unusual stone features. Church Lane was mentioned by a few people because of its enclosed 'mysterious' feel and stone walls, and also the south end of the Lawns Road near the churchyard.

There was, however, criticism of some of the open spaces in the village and many drew attention to the untidy and abandoned feel of Richardson's former lorry yard at the top of High Street. Other blots on the landscape mentioned were Perry's former coach yard in High Street (opposite the Castle) and the adjacent road near Castle House with many parked cars and commercial vehicles. Parts of the Castle Moat were also thought to be untidy.

The view from The Sheep Walk looking northwards over the village is the most popular, but residents also like the views across the sportsfield from Slingsby and the view from Fryton towards the Castle, Church and Old Rectory. The views to the north-east and west from Railway Street were also mentioned.

Other features liked include the maypole, the trees on The Balk and the larger trees in the churchyard, the stone boundary walls to gardens and churchyard, the Mowbray Oak and the other ancient oak trees on The Lawns, the copper beeches near the village shop, the old pump near The Green, the church clock and the daffodils on the banks at the top of High Street and on The Balk.

Criticism was made of the poor state of the telephone box, the potholes in the footpaths, particularly on Railway Street, and breaking down of verges by parked cars.

The Village Green, the maypole and the old buildings around it are thought to be most important in giving Slingsby its special character, along with the estate cottages with their

special details. The open feel of Railway Street is felt to be special along with its stone buildings which are thought to have a variety and timeless attractive character. Traditional stone outbuildings and stone boundary walls were also mentioned in the survey. In general Slingsby is appreciated for the fact that it appears still to be a working village with a good mix of people.

Improvements or changes suggested in the consultation were as follows:

- Repair and maintain footpaths on Railway Street
- Reduce speed of traffic approaching hump-backed bridge at north end of Railway Street
- Improve drains on Railway Street
- Maintain all roads better – repair potholes
- Install brighter street lighting in Slingsby (some opposing views here as well)
- Improve street lighting in Fryton – heritage type
- Maintain Slingsby Castle better by cutting back trees and undergrowth, and improving the view
- Repair and upgrade telephone box
- Erect a bus shelter on The Green
- Secure the future of the pub, The Grapes Inn *[done]*
- Address the problem of derelict-looking and unoccupied houses
- Install another dog waste bin near The Green
- Restore the derelict barn on the main road
- Address the issue of large vehicles parked outside Castle House, and make sure future planning applications for all new properties provide off-street parking
- Remove parked cars from the streets generally
- Allow some small business development
- Improve muddy footpaths, eg the problem of horses churning up non-bridleway footpaths like at The Lawns
- Install mains gas *[beyond the scope of the VDS]*

Appendix B: Listed Buildings in Slingsby, South Holme and Fryton

Slingsby

Bag End

Grade II

High Street, Slingsby, North Yorkshire

Bransdale

Grade II

High Street, Slingsby, North Yorkshire

Castle Farmhouse

Grade II

High Street, Slingsby, North Yorkshire

Castle House/Ivy Cottage

Grade II

High Street, Slingsby, North Yorkshire

Church of All Saints, Slingsby

Grade II*

Church Lane, Slingsby, North Yorkshire

Dossers House

Grade II

The Green, Slingsby, North Yorkshire

Fern Cottage

Grade II

Railway Street, Slingsby, North Yorkshire

Glebe Cottage

Grade II

The Green, Slingsby, North Yorkshire

Grange House

Grade II

Railway Street, Slingsby, North Yorkshire

Grey Gables

Grade II

High Street, Slingsby, North Yorkshire

Heights Farmhouse

Grade II

High Street, Slingsby, North Yorkshire

Home Farmhouse

Grade II

Railway Street, Slingsby, North Yorkshire

House immediately south of Goodlands

Grade II

Railway Street, Slingsby, North Yorkshire

House immediately to the north of former Cooperative Stores

Grade II

Railway Street, Slingsby, North Yorkshire

Laurel Cottage/Rose Cottage

Grade II

Railway Street, Slingsby, North Yorkshire

Linden House and gate and railings to front

Grade II

Slingsby

Mile Post at southern end of Balksyde

Grade II

Balksyde, Slingsby, North Yorkshire

Porch Farmhouse and Cottage

Grade II

The Green, Slingsby, North Yorkshire

Ruins of Slingsby Castle

Grade II

High Street, Slingsby, North Yorkshire

Schoolhouse/Schoolroom

Grade II

The Green, Slingsby, North Yorkshire

Slingsby Heights and gates and railings to front

Grade II

Malton Road, Slingsby, North Yorkshire

The Cottage and three houses adjoining to north

Grade II

Railway Street, Slingsby, North Yorkshire

The Grapes Inn

Grade II

Railway Street, Slingsby, North Yorkshire

The Green

Grade II

The Green, Slingsby, North Yorkshire

The Old Rectory

Grade II

Church Lane, Slingsby, North Yorkshire

The Reading Room

Grade II

The Green, Slingsby, North Yorkshire

Toby's Cottage

Grade II

Railway Street, Slingsby, North Yorkshire

Tomb Chest commemorating members of the Markinfield Family approximately 3 metres to south of porch

Grade II

Church Lane, Slingsby, North Yorkshire

Wesleyan Chapel and Hall

Grade II

The Green, Slingsby, North Yorkshire

West Flatts Farmhouse

Grade II

Malton Road, Slingsby, North Yorkshire

Wheatlands Farmhouse

Grade II

Railway Street, Slingsby, North Yorkshire

Wyville Cottage/Wyville Hall

Grade II

Green Dyke Lane, Slingsby, North Yorkshire

South Holme

East Ness Bridge

Grade II

South Holme, North Yorkshire

Manor Farmhouse

Grade II

South Holme, North Yorkshire

West Farmhouse

Grade II

South Holme, North Yorkshire

Fryton

Barns to North Farm

Grade II

Fryton Lane, Fryton, North Yorkshire

Brick Kiln at Brickyard Farm

Grade II

Fryton, North Yorkshire

Cherrygarth Farmhouse

Grade II

Fryton Lane, Fryton, North Yorkshire

West Farmhouse

Grade II

Fryton Lane, Fryton, North Yorkshire

Appendix C: Conservation Areas

How is a Conservation Area designated?

Most Conservation Areas are designated by the Council as the local planning authority. English Heritage can designate Conservation Areas in London, following consultation with the Secretary of State for Culture, Media and Sport. The Secretary of State can also designate a Conservation Area in exceptional circumstances - usually where the area is of more than local interest.

What does designation mean?

Conservation Areas are defined in the Planning (Listed Building and Conservation Areas) Act 1990 as 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Conservation Areas are therefore those areas considered to have the most important environmental quality in the District.

The character of Conservation Areas is as varied as our landscape. In some parts of the country they include, for example, terraces of workers' cottages, inter-war housing developments, and formal urban squares. In Ryedale, however, the majority of Conservation Areas are small, rural settlements whose character is derived from the unique way in which the man-made elements (such as houses, cottages, walls, churches, farms and public buildings) of each settlement relate to each other and the natural framework of landscape features (such as village greens, becks, ponds, trees, hedges and distinctive topographical features).

What living in a Conservation Area means for residents

Property alterations

An area designated as a Conservation Area requires planning applications to be made for certain types of development which are elsewhere classified as permitted development. These extra controls are designed to preserve or enhance the character of the area and the quality of design. The Council can change the types of alterations that need permission by making Article 4 Directions. The regulations are complicated and subject to the planning history of the property; it is advisable to consult the Planning Department before you undertake any new work to see what is subject to the requirement for planning permission.

Whilst there are works which can be done in a Conservation Area without consent, it is important to remember that the character of an area is often the result of many small details.

Also within Conservation Areas:

- Extra publicity is given to planning applications, with a general view to preserving or enhancing the area.
- The display of advertisements may be more restricted.

The link below takes you to the Planning Portal, the Government's planning website, where you can find more information about permitted development rights. You can also apply for planning permission online through the Planning Portal.

<http://www.planningportal.gov.uk>

Trees

If you are thinking of cutting down a tree or doing any pruning work you must notify the Council six weeks in advance if the tree has a trunk diameter of 75mm or greater, measured at 1.5m from ground level. This is to give the Council time to assess the contribution the tree makes to the character of the Conservation Area and decide whether to make a Tree Preservation Order. A link to the appropriate form is attached below:

[http://www.ryedale.gov.uk/attachments/article/330/Application for tree works works to trees subject to a preservation order \(TPO\).pdf](http://www.ryedale.gov.uk/attachments/article/330/Application%20for%20tree%20works%20to%20trees%20subject%20to%20a%20preservation%20order%20(TPO).pdf)

[http://www.ryedale.gov.uk/attachments/article/330/Guidance notes for works to trees.pdf](http://www.ryedale.gov.uk/attachments/article/330/Guidance%20notes%20for%20works%20to%20trees.pdf)

[http://www.ryedale.gov.uk/attachments/article/330/Advice the description of tree work nov 2012.pdf](http://www.ryedale.gov.uk/attachments/article/330/Advice%20the%20description%20of%20tree%20work%20nov%202012.pdf)

Appendix D: Bats

Developers and householders should be aware of the possibility of the presence of bats in their property. They are often tucked away in the soffit of a house, under the tiles or in the cavity wall. Although a roost may contain several hundred bats, an average maternity roost supports 30-100 individual females. Males mostly live individually, or in small groups. A maternity colony may use several roosting sites during the course of a summer, sometimes moving suddenly to a new location. In winter small numbers may be found hibernating in house soffits, crevices in old disused barns and miscellaneous other places. Although bats are generally very common in North Yorkshire, all bats and the places they live are protected by law.

To minimise the risk of committing an offence you must stop work and seek advice. Call the National Bat Helpline on 0845 1300 228. They will either be able to give you advice over the phone or arrange for a local volunteer to visit the site to assess the situation.

Appendix E: Planning Policy Documents

The Ryedale Plan is the Development Plan for the District outside of the National Park. A link to the Ryedale Plan is below:

www.ryedaleplan.org.uk

The Ryedale Plan is made up a series of planning policy documents which guide development. For Slingsby the relevant documents are:

The Local Plan Strategy sets out the overall framework for how new development will be brought forward, and planning applications assessed. It identifies Slingsby as a Service Village where some development will be allocated.

Some of the policies in the Local Plan Strategy are listed below for ease of reference:

SP1 General Location of Development and Settlement Hierarchy
SP2 Delivery and Distribution of Housing
SP12 Heritage
SP13 Landscapes
SP14 Biodiversity
SP15 Green Infrastructure Networks
SP16 Design
SP18 Renewable and Low Carbon Energy
SP20 Generic Development Management Issues

The Local Plan Sites Document sets out the allocations and provides site-specific policies. This document is currently in production.

Progress can be viewed at:

<http://www.ryedaleplan.org.uk/local-plan-sites>

The **Slingsby, South Holme and Fryton Village Design Statement** is a Supplementary Planning Document. This does not create new policy, but is a locally specific amplification of the policies concerning design and heritage matters. It is a material consideration in the determination of a planning application, and where planning permission is not required, can provide informal guidance to those making alterations to their property.

Appendix F: Bibliography and Websites

Bibliography

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St. Clair Brooke, Arthur: *Slingsby and Slingsby Castle* (Methuen and Co., 1904)

Walker, The Rev. William: *Some Account of the Parish and Village of Slingsby in Yorkshire* (York, 1845)

Wenham, L. Peter: *Derwentio [Malton]: Roman Fort and Civilian Settlement* (Cameo Books, 1974)

Websites

North Yorkshire and York Landscape Character Assessment:

<http://www.northyorks.gov.uk/article/25431/Landscapecharacter-assessment>

National Character Area profiles for the Howardian Hills and the Vale of Pickering:

<http://publications.naturalengland.org.uk/publication/5370931?category=587130> (Howardian Hills)

<http://publications.naturalengland.org.uk/publication/3688500?category=587130> (Vale of Pickering)

North Yorkshire and Lower Tees Valley Historic Landscape Characterisation:

<http://www.northyorks.gov.uk/article/23822/Historic-landscape-characterisation>

Historic England's Statement of Significance for the Vale of Pickering:

<http://www.ryedaleplan.org.uk/local-plan-strategy/local-plan-strategy-examination/211-te51-vale-of-pickering-statement-of-significance-english-heritage-with-partners-2011>

For further information about Slingsby, South Holme and Fryton and local events, visit

www.slingsbyvillage.co.uk

Appendix G: Acknowledgements

Text

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Photographs

Steve Allen Photography
Jon Boots
John Clayton
Richard Flint Photography
Kate Giles
The Wormald Collection

Thanks also to Rachael Balmer and Emma Woodland at Ryedale District Council for their comments and advice, and to Sophie Mackinder for proof-reading.

South Holme



[BACK COVER]



Slingsby Castle

**SLINGSBY, SOUTH HOLME AND FRYTON VILLAGE DESIGN STATEMENT
SUPPLEMENTARY PLANNING DOCUMENT**

STATEMENT OF CONSULTATION

A draft of the VDS was subject to public consultation as a draft Supplementary Planning Document between 18 April and 30 May 2016. Documents were available on deposit at the Council's Offices, and were on the Council's web site. Due to the localised, and specific nature of the document, the following organisations were consulted:

Members of the general public on the Council's Forward Planning Consultation Database who have an address in Slingsby, South Holme or Fryton ;

All Agents/Developers on the Council's Forward Planning Consultation Database;

Natural England;

Historic England;

North Yorkshire County Council;

Castle Howard Estate;

Slingsby South Holme and Fryton Parish Council;

Adjacent Parish Councils to the above parish;

Howardian Hills Area of Outstanding Natural Beauty Management; and

Landowners/site submitters of sites for inclusion as allocations in the forthcoming Local Plan Sites Document.

As a result of that consultation:

Comments from Historic England, Natural England, The Howardian Hills AONB Manager and North Yorkshire County Council were received.

Comments received from	Comments	Response
Historic England	Does not wish to comment on the document, but would welcome confirmation of its adoption in due course.	Noted.
Howardian Hills AONB	<ol style="list-style-type: none"> 1. The VDS is comprehensive and well-written in an easy to understand style. 2. Categorisation of the predominant building stone type as Magnesian limestone is queried. Magnesian limestone is found in a ridge running down the western side of the Vale of York, for example in the Tadcaster area, whilst the limestone quarried from the Howardian Hills is Jurassic limestone. It may be that new houses are using Magnesian limestone, due to it being the nearest available match and also the lack of local quarries, but the technical details need to be correct in order to steer future planning applications. 	<ol style="list-style-type: none"> 1. Noted. 2. It is acknowledged that it should be Jurassic limestone in the Materials section (p.13) and this has been amended. In the Guidelines for Buildings (p.30 1st bullet point), the word “magnesian” has been deleted and after “limestone” the following words have been added: “(source and type to be discussed on a case-by-case basis)”.

Comments received from	Comments	Response
North Yorkshire County Council	<ol style="list-style-type: none"> 1. Add the following documents to the bibliography: <ol style="list-style-type: none"> a. North Yorkshire and York Landscape Character Assessment: this includes generic guidance for the landscape character types that occur within the three parishes (Limestone Ridge ie the area within the Howardian Hills, and Enclosed Vale Farmland ie the area within the Vale of Pickering); b. National Character Area profiles for the Howardian Hills and the Vale of Pickering: these include analysis of landscape change and 'Statements of Environmental Opportunity', some of which may be relevant; c. North Yorkshire and Lower Tees Valley Historic Landscape Characterisation. 2. The Castle Howard designed landscape is Grade 1 on the Historic England Register of Parks and Gardens (RPG). Consider whether there are any views from the Castle Howard avenue or from anywhere else in the registered park that need to be taken into account. 3. A location map should be provided showing the context and the extent of the area that the VDS applies to. This will help to clarify if it is the full extent of the three parishes, or just the 	<ol style="list-style-type: none"> 1. Links to these documents have been added to Appendix F (Bibliography and Websites). Historic England's Statement of Significance for the Vale of Pickering has also been added. 2. It is considered that there are no views in or out of the RPG which development in Slingsby could affect, due to the undulating topography within the wider context of a prevailing decrease in elevation between the RPG and Slingsby. 3. The maps in Appendix H are considered adequate to show the location and context of the villages, but the Introduction to the document has been amended to clarify the extent of the area covered by the VDS. The boundary of the Slingsby Conservation Area is marked on the Slingsby

	villages. It would also be helpful to indicate any Conservation Area boundaries.	and Fryton map in Appendix H.
Comments received from	Comments	Response
Natural England	1. Consider making provision for Green Infrastructure within development.	<p>1. The Ryedale Plan – Local Plan Strategy was adopted post NPPF and has a policy on the provision, enhancement and protection of green infrastructure (Policy SP15). That policy also indicates that the production of a District-wide Green Infrastructure Strategy will take place, but the Council is focusing on the site allocations.</p> <p>The VDS does actually refer to elements of green infrastructure in the section on Wildlife and Habitats (p.29), but this has been made clearer by amending the heading to read “Wildlife, Habitats and Green Infrastructure”.</p> <p>The settlements of Slingsby, South Holme and Fryton are historic, rural settlements, where the palette of construction materials is primarily locally-derived, and traditional construction techniques used. Whilst the use of green roof systems, roof gardens and green walls is clearly a positive biodiversity feature, such features are more suitable to flat/monopitch roofs to be developed on modern buildings, particularly within an urban context. They are very unlikely within existing buildings of stone/brick construction with pitched roofs, or individual dwellings. New tree planting, and the retention of established mature trees, is an attribute of green infrastructure which is referred to in the document.</p> <p>Protection of natural resources including air quality, ground and surface water and soils is a policy principle, which is considered in Policy SP17 of the post NPPF adopted Ryedale Plan – Local Plan Strategy.</p>

Comments received from	Comments	Response
	<p>2. Biodiversity enhancement: Consider incorporating features which are beneficial to wildlife within development eg bat roosts or bird box provision.</p> <p>3. Landscape enhancement: Consider opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, eg through green infrastructure provision and access to and contact with nature.</p> <p>4. It may be appropriate to seek that, where viable, trees should be of a species capable of growth to exceed building height and managed so to do, and where mature trees are retained on site provision is made for succession planting so that new trees will be well established by the time mature trees die.</p>	<p>2. This is covered in the Wildlife, Habitats and Green Infrastructure section (p.29), in the Guidelines for Development concerning buildings (page 30) and in Appendix D on the protection of bats. To emphasise the point, however, an additional provision has been included in the Guidelines (page 30) to read “Developers are also encouraged to incorporate measures which promote biodiversity”. The guidance on bats in the same section has been supplemented by adding the words “and other protected species”.</p> <p>3. Policies around the sustainable use of natural resources and green infrastructure are already part of the Ryedale Plan – Local Plan Strategy. The VDS now refers to existing studies which have looked at Landscape Characterisation (Appendix F – Bibliography and Websites) in response to NYCC comment 1.</p> <p>4. The Local Planning Authority would have concerns with this example relating to trees. It is part of Slingsby’s character that the roofscape is glimpsed from other areas of higher elevation, and that an approach which uses trees to effectively screen development does not allow those developments to be assimilated into the surroundings. Trees planted within the context of providing landscaping for a development should be a mixture of heights and species, which are reflective of existing species in the locality, to provide softening, visual contrast and seasonal change. This should also be undertaken in a manner which considers the long-term implications of the trees as they gain in stature for the amenity of residents and the community. It is also not advisable to plant a replacement tree until the original specimen has been lost and removed, otherwise they will be in competition, and this would be to the detriment of both trees, and general amenity.</p>

Comments received from	Comments	Response
	<p>5. Other design principles could be considered, including the impacts of lighting on landscape and biodiversity.</p> <p>6. Consider the need for a Strategic Environmental Assessment/Habitats Regulations Assessment.</p>	<p>5. The VDS provides locally-specific amplification of policies established within the Development Plan, the Ryedale Plan – Local Plan Strategy, which was adopted post NPPF. The VDS Guidelines do refer to lighting and its impacts on the village character (p.31) and promote biodiversity (as mentioned above).</p> <p>6. The Local Planning Authority will incorporate into the Statement of Matters that it considers that the Slingsby, South Holme and Fryton Village Design Statement is a document which should not be subject to Strategic Environment Assessment. The document has a very specific scope, covering three rural settlements, and provides guidance on important design attributes of the settlements, and matters to consider in development proposals. It does not in itself identify any form of development to be undertaken within those settlements. The adoption of this Village Design Statement would provide local amplification of policies in the established Development Plan which has been subject to SEA/SA.</p> <p>The Local Planning Authority will incorporate into the Statement of Matters that it considers that the Slingsby, South Holme and Fryton Village Design Statement is a document which does not require a Habitats Regulations Assessment to be undertaken for the following reasons:</p> <ul style="list-style-type: none"> • This is a Village Design Statement, which does not identify or promote particular sites or forms of development. It provides design context and awareness; • It is only applied within the context of the Development Plan which has been subjected to SA/SEA and the Habitat Regulations Assessment; • No sites which are of international significance for biodiversity are within less than 8.8km from Slingsby, South Holme and Fryton. <p>On that basis application of this Village Design Statement would have no effects on the conservation objectives of Natura 2000 sites (Special Area of Conservation/Special Protection Area sites).</p>



Supplementary Planning Document- Statement of Matters

Slingsby, South Holme and Fryton Village Design Statement Supplementary Planning Document (SPD)

The Local Planning Authority undertook consultation on the above mentioned Village Design Statement as a draft SPD between Monday 18 April 2016 and Monday 30 May 2016.

Slingsby, South Holme and Fryton Village Design Statement is relevant in the determination of planning applications only in the parishes of: Slingsby, South Holme and Fryton.

Supplementary Planning Documents (SPDs) supplement, and provide amplification to policies established within the Development Plan. For Ryedale District outside the National Park, this is the Ryedale Plan- Local Plan Strategy. SPDs are part of the Development Plan, and accordingly have full weight in the consideration of planning applications.

The Draft Slingsby, South Holme and Fryton Village Design Statement Supplementary Planning Document is divided into themes. It provides historical content, and the settlement's evolution to present day. The document:

- Considers the setting of the village in the countryside, including important views in and around the settlement;
- Describes and defines the layout of the village- and areas of differing character;
- Provides details of the houses which create the special character of the village;
- Describes views, setting and features through maps and photos;
- Discusses features such as materials, roofs, utility fixtures and fittings, windows, doors, outbuildings (barns and sheds), property boundaries and gates;
- Identifies: Landscape features and important trees and wildlife and habitats; and
- Provides guidelines for future development and property alterations.

In summary, it seeks to achieve the following:

- Identify features which should be protected/preserved;
- Identify changes which could be harmful to the village's character; and
- Help to guide new developments and alterations to existing buildings.

The aim is provide a locally-specific context to considering how new development and alterations can contribute to ensuring that Slingsby remains the attractive and valued village it is today, and that in Fryton and South Holme any new development is sensitive to its surroundings.

The Village Design Statement, a Statement of Consultation, and a Statement of SPD matters is available to view at the website:

<http://www.ryedaleplan.org.uk/other-documents/supplementary-planning-documents/9-supplementary-planning-documents>

Slingsby, South Holme and Fryton Village Design Statement is a document which should not be subject to Strategic Environment Assessment. The document has a very specific scope, covering three rural settlements, and provides guidance on important design attributes of the settlements, and matters to consider in development proposals. It does not in itself identify any form of development to be undertaken within those settlements. The adoption of this Village Design Statement would provide local amplification of policies in the established Development Plan which has been subject to SEA/SA.

Slingsby, South Holme and Fryton Village Design Statement is a document which does not require a Habitats Regulations Assessment to be undertaken for the following reasons:

- This is a Village Design Statement, which does not identify or promote particular sites or forms of development. It provides design context and awareness;
- It is only applied within the context of the Development Plan which has been subjected to SA/SEA and the Habitat Regulations Assessment; and
- No sites which are of international significance for biodiversity are within less than 8.8km from Slingsby, South Holme and Fryton.

On that basis application of this Village Design Statement would have no effects on the conservation objectives of Natura 2000 sites (Special Area of Conservation/Special Protection Area sites).

Agenda Item 6

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 02/08/16

7

Application No: 16/00354/MOUT

Application Site: Land At Rear Of 56 Low Moorgate Rillington Malton North Yorkshire

Proposal: Residential development of 18no. dwellings with associated access (site area 0.69ha)

8

Application No: 16/00721/HOUSE

Application Site: Rowan Cottage School House Hill Marishes Low Road Low Marishes Malton North Yorkshire YO17 6RJ

Proposal: Erection of a two storey side extension and single storey rear extension (revised details to refusal 15/01437/HOUSE dated 01.02.2016)

9

Application No: 16/00750/FUL

Application Site: Land At Croft Farm The Lane Gate Helmsley

Proposal: Erection of travellers' amenity building and retention of mobile home, caravan and shed

RYEDALE DISTRICT COUNCIL PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 7
Application No: 16/00354/MOUT
Parish: Rillington Parish Council
Appn. Type: Outline Application Major
Applicant: Mr John Cook & Mr Matthew Wrigley
Proposal: Residential development of 18no. dwellings with associated access (site area 0.69ha)
Location: Land At Rear Of 56 Low Moorgate Rillington Malton North Yorkshire

Registration Date: 15 March 2016
8/13 Wk Expiry Date: 14 June 2016
Overall Expiry Date: 22 July 2016
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Public Rights Of Way	Recommend informative
Vale Of Pickering Internal Drainage Boards	Recommendations regarding surface water alteration
Lead Local Flood Authority	No objection - recommend their standard planning condition
North Yorkshire Police Architectural Liaison Officer	No concerns or issues at this time
Housing Services	Comments made
Land Use Planning	No views received
Archaeology Section	A scheme of archaeological mitigation recording should be undertaken and condition recommended
Tree & Landscape Officer	Recommend condition
Countryside Officer	Recommend conditions
Lead Local Flood Authority	Comments made with regard to surface water
Highways North Yorkshire	Recommend conditions
Parish Council	Comments made and conditions to be attached

Neighbour responses: Mrs C And Mr S Collier, Mr P Abbey And Mrs K Green, Stella Ketley, Mr Christopher Coxon, Mrs J Maud, Mr Colin Bean, Mrs Patricia Sollitt, Mr Christopher Coxon, Steve And Pam Kent, Mr Richard & Patricia Porter, Mrs Catherine Metham, Mrs Ivy Wilson,

SITE:

The application site comprises approximately 0.69 hectares of land adjacent to, but outside of the development limits of Rillington and within open countryside. The site approximately measures 90m in width at its widest and 95m in depth at its greatest. The site is currently used for a combination of grazing land and includes land and buildings belonging to 70 Low Moorgate. The site is relatively flat and located to the east of Low Moorgate on the northern side of Rillington. There are areas of planting along the eastern boundary with open countryside on the northern and eastern boundaries.

Part of an existing orchard is located to the southern side of the application site. The site is also within an area of known archaeological significance and within Flood Zone 1, being at the lowest risk of flooding.

PROPOSAL:

An outline application has been submitted for residential development comprising 18 dwellings. At this stage layout, scale and access are to be considered. The proposal seeks to use a new access to Low Moorgate that was approved for residential development of 10 dwellings in 2014. The proposal will extend the to already approved cul-de-sac on to Phase 1 to create a total of 28 new dwellings from this approved access from Low Moorgate.

The proposal is to be an extension of the approved cul-de-sac road with a 'T' shaped road alignment across the end of the approved road. The proposed dwellings are proposed to front the continuation of the approved road. There are 9 detached dwellings proposed, 3 terraced dwellings and 3 pairs of semi-detached properties. There are 8 house types having the following dimensions:

- A type: 5.7m wide and 7.8m in depth 4.8m to eaves and 8.6m to ridge
- C type: 7.5m depth and 9m wide 5m to eaves and 8m to ridge height
- F type: 9m in depth 8,7m in depth 5.2m to eaves and 9m to the ridge height
- G type: 9m in depth at its greatest and 9.6m in width 5.2m to eaves height and 9m to ridge height
- H type: 4.5m in width by 7.8m in depth 5m to eaves and 8.6m to ridge
- K type: 11.6m in width and 8.8m in depth 5.2m to eaves and 9m to ridge height
- L type: 11.7m in width by 10m in depth (plus a single storey conservatory) 5m to eaves and 8.6m to ridge
- M type: 11.7m in width by 10m in depth, 5.2m to the eaves height and 9.4m to the ridge height

Elevations of the proposed dwellings have been submitted to illustrate the proposed scale of the dwellings. However the details of the elevations are indicative only and the external appearance of the proposed dwellings are to be considered at Reserved Matters stage.

The following documents have been submitted with this application and are available to view online:

- Ecology survey
- Tree Survey
- Drainage and feasibility Assessment
- Design and Access Statement
- Planning Statement
- Archaeological Survey

HISTORY:

Relevant planning history on the application site includes:

2016 : Planning permission granted for the erection of a detached double garage for 56 Low Moorgate

2014: Out line planning permission granted for the erection of 10 dwellings and a double garage for No. 56 Low Moorgate Rillington

1991: Planning permission refused for residential development

POLICY:

National Policy Guidance

National Planning Policy Framework 2012

National Planning Policy Guidance 2014

Local Plan Strategy 2013

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP4 - Type and Mix of New Housing

Policy SP10 - Physical Infrastructure

Policy SP12 - Heritage

Policy SP13 - Landscapes

Policy SP14 - Biodiversity

Policy SP15 - Green Infrastructure Networks

Policy SP16 - Design

Policy SP17 - Managing Air Quality, Land and Water Resources

Policy SP18 - Energy

Policy SP19 - Presumption in Favour of Sustainable Development

Policy SP20 - Generic Development Management Issues

Policy SP21 - Occupancy Restrictions

Policy SP22 - Planning Obligations Developer Contributions and the Community Infrastructure Levy

APPRAISAL

The main considerations in relation to this application are:

- The principle of residential development on the site;
- The layout mix and scale of the proposed development;
- The impact of the proposed development upon the residential amenity of the adjoining neighbours;
- The impact of the proposal upon the surrounding landscape;
- Highway safety;
- Archaeology;
- Contaminated Land;
- Drainage and Flood Risk;
- Affordable housing provision;
- Ecology; and
- Public Open Space

This application is required to be determined by Planning Committee as it is a 'Major' planning application. The application has been advertised as a 'Departure' from the Development Plan as the site is located outside the development limits of Rillington.

At this stage, Access, Layout, and Scale are to be considered only. External Appearance and Landscaping are proposed to be considered at Reserved Matters stage.

Principle of the proposed development

The Council has a 5-year supply of housing as of 31 March 2016. The current figure is 5.8 years of housing supply. The application site is located outside of the development limits of Rillington, as such it lies within the open countryside. In accordance with Policy SP2 of the Local Plan Strategy the proposed dwellings would not meet any of the normal open countryside exceptions.

Para. 14 of NPPF states:

‘ For decision-taking this means:

- Approving development proposals that accord with the development plan without delay; and*
- Where the development plan are absent, silent, or relevant policies are out-of -date, granting planning permission unless:*
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*
- Specific policies in the Framework indicate development should be restricted.*

Therefore, this application should be granted planning permission unless the impacts of the proposed development significantly or demonstrably outweigh the benefits or specific NPPF policies indicate development should be restricted.

In this case, the application site has been submitted as a possible site for residential development and indeed is a 'preferred site' (Site 638) within the Housing Sites Document 2015, which was approved by Planning Committee for consultation in 2015. Furthermore the site is located in Rillington, which is identified as a 'Service Village' and therefore in general terms it is a sustainable settlement with local services and facilities.

It is therefore considered that the principle of developing this site is consistent with national and emerging Local Plan Policy. The appraisal below will address whether there is conflict with other NPPF policies or any significant or demonstrable harm is identified that could outweigh the benefits of the scheme.

In 1991 a planning application for residential development on part of the site was refused planning permission as it was considered to constitute backland development and highway safety reasons. That decision 25 years ago is considered to have limited weight in terms of its policy relating to backland development reasons. The Phase 1 approval has accepted in principle some development in depth and the site has been identified as a preferred allocation. Officers will be guided by the views of the NYCC regarding Highway Safety on this sustainable village location. There has been considerable change in planning policy over the last 25 years and the LPA cannot be bound by that earlier decision.

The layout, mix and scale of the proposed development

The agent has been advised of Officer concerns in relation to the housing mix earlier. There are considered to be too many large detached houses. As originally submitted all the market houses were proposed to be detached. Following negotiations, there are now 2 pairs of semi-detached properties along with 9 detached properties within the market housing mix. Therefore with the 5 affordable units and the market semi-detached dwellings there is equal split with 9 detached dwellings and 9 semi or terraced dwellings. This housing mix is considered to be acceptable and allows a balanced and sustainable housing choice to be offered from the site.

The proposed layout is a logical extension of Phase 1. It features dwellings appropriately arranged around two 'T' junctions with 2 private drives leading in both a westerly and easterly direction. It is considered that the layout will allow dwellings to be developed on the identified plots that are capable of relating well to Phase 1 and to the wider area of the Rillington.

The scale of the proposed dwellings varies from 8m to 9.4 m at ridge height with all properties being two storey. The proposed eaves and ridge heights are also considered to be representative of those on Phase 1 and other properties within Rillington. The proposed footprint of the dwellings are also considered to be acceptable.

The Planning Statement mentions that there may be a requirement for some localised raising of Plots 13 - 17. A levels condition is therefore recommended to ensure a satisfactory external appearance.

There remains some concern at certain aspects of the design of the proposed dwellings, particularly the use of external chimney stacks. However, the agent disagrees with this. The design of the proposed dwellings are indicative only and they will be considered in more detail at Reserved Matters stage. An informative is therefore recommended to advise that any approval of this application does not approve the design of the elevations.

The impact of the proposed development upon the residential amenity of the adjoining neighbours

A new dwelling was recently approved on land to the south of the site (16/00785/FUL). There remains a satisfactory separation distance between it and the proposed development to protect the respective amenities. The scheme is considered to relate well to Phase 1 and not unacceptably impact upon its residential amenities. To the eastern and northern sides are, as mentioned earlier is open countryside. To the north-western side, is an existing detached bungalow, with the owner of that bungalow being a part owner of the application site. Officers have expressed some concern at the proximity of plot No's 14-18 to that dwelling and potential overlooking. There is a minimum of 18m between the rear elevations of the proposed dwellings and the existing bungalow, and a proposed double garage partly between those aforementioned dwellings. No objections have to this element have been received. The agent has not been willing to make amendments to the scheme in this regard, although on balance this relationship is considered not to be acceptable when considering the scheme as a whole. In all other respects the proposal is not considered to have an adverse effect upon the amenity of nearby occupiers.

The impact of the proposal upon the surrounding landscape

There is a public footpath that runs along the eastern boundary and a further public footpath that runs directly east in the direction of Rillington Manor. However, the majority of the proposed development from those public vantage points would show the development in the context of the existing built form of Rillington and the approved Phase 1 development. There is also a mature band of trees on the eastern boundary that will further soften the impact of the proposal. The northern side has some open areas with views on to the largely flat and expansive areas of the Vale of Pickering. Although these views are largely private views. Again, any long distance views of the proposed scheme would also be in the context of the existing built form of Rillington. To the southern and western sides there are existing dwellings and buildings that will minimise any wider open countryside impact. As a result the proposal is not considered to have any significant impacts upon the Vale of Pickering landscape character area.

Highway safety

Following discussions with the Highway Authority it has been agreed that the proposed access can accommodate an additional 28 dwellings on site (including 10 no dwellings on the earlier Phase 1 Site) thereby creating a better housing mix in accordance with the above comments. The Highway Authority initially recommended standard conditions in respect of the access and inner highway areas, highway drainage, parking and a construction management plan. Following the above revisions their final views and conditions are awaited. Officers have been advised that they have no objection to the application and are preparing conditions. In making their assessment the Highway Authority has considered the capacity, width and ability of Low Moorgate to accept any more residential development and the need for any parking restrictions on the public highway. It should be noted that residents parking on the public highway do so at the discretion of the Highway Authority and there is no such right to do so. It should also be noted that the proposal relates to a cul-de-sac of development with no linkages, either pedestrian or vehicular onto Manor View. Members will be updated at the meeting of the formal views of the Highway Authority. It is also pertinent to indicate that each dwelling provides the level of off-street parking that is required by current NYCC Parking Standards.

The Public Rights of Way Officer has recommended an informative to protect the existing Public Right of Way to the east of the site.

The Parish Council's comment about linking the proposed scheme into that existing Public Footpath has been referred to the agent. The agent has contacted the Police Architectural Liaison Officer who has indicated he would object to a footpath link. As such the agent is not proposing this change. The applicant's recourse direct to the Police Architectural Liaison Officer is regrettable, as the linkages to the public footpath had the potential to provide for pedestrians linkages and encouraging recreational opportunities.

Drainage and Flood Risk

A Drainage and Feasibility Assessment has been submitted. It confirms that the site is located within Flood Zone 1 being at the lowest risk of flooding. In this respect, residential development is considered to pass the sequential test. The Assessment also confirms that soakaways can in principle be used for the discharge of surface water. The Highway Authority's views are awaited in terms of the use of soakaways within the Highway areas. The Lead Flood Authority (NYCC) after initially requesting more information now recommends a condition and considers the proposal meets the requirements to utilise sustainable drainable methods.

A small risk of flooding has been identified at the access road from Low Moorgate at extreme events. This will still allow emergency access and is not anticipated to affect the proposed dwellings.

Foul water is proposed to drain to the mains, Yorkshire Water has been consulted and no response has been received to date. It is therefore implied that there is sufficient capacity to accept this additional flow.

Affordable housing provision

In accordance with Policy SP3 of the Local Plan Strategy a developer contribution of 35% on-site Affordable Housing provision is required. This equates to 6.3 dwellings.

It has been agreed with the Council's Rural Housing Officer that the scheme will provide 5 on-site dwellings comprising:

Plots 14 – 16 – 3 no. 1 bed terraced dwellings for rent (minimum 58m² floor space); and

Plots 17 and 18 – 2 no. 2 bed semi detached dwelling as intermediate dwellings (minimum floor space 79m²) and

The shortfall (1.3 dwellings) is proposed to be delivered by means of a financial commuted payment that has been calculated and agreed with Housing Officers as being £39,182.

This provision will need to be delivered by S106 legal agreement if the application is approved. the final views of the Housing Officers are awaited at the time of preparing this report.

Contamination

A Desk Based Screening Assessment Report has been submitted. No views have been received from the Environmental Health Officers. Given its proposed sensitive use it is recommended that a condition be imposed regarding a Phase 1 Contamination report. Whilst the LPA is at risk of an appeal against such a condition, with no formal views of the Environmental Health Officers it is considered prudent to impose such a condition.

Ecology

The Council's Countryside Management Officer has raised concern at the loss of the existing orchard on the southern side of the application site. The Countryside Management Officer considers its retention to be preferable in accordance with Policy SP14 of the LPS.

Its complete retention is not possible, and development of part of the orchard has already been granted planning permission for residential development on Phase 1 to the west. The most significant trees in this area are to be retained in accordance with the Tree Survey, and the concerns of the Countryside Management Officer are required to be balanced against the benefits of the proposed as a whole. In addition, further planting is proposed within the scheme, which will to some extent off-set this loss.

The submitted report in respect of protected species have not provided any evidence of such species on site and the Countryside Management Officer recommends a condition that the development is undertaken in accordance with the suggested method statement within the submitted report.

Community Infrastructure Levy

The development would be chargeable for CIL at £45m2. This charge would be applicable at Reserved Matters stage.

Designing out Crime

The Police Architectural Liaison Officer has no objection to the revised plans.

Archaeology

An archaeological evaluation has been undertaken, and the County Archaeologist has no objection to the proposal subject to the imposition of a standard condition.

Other issues

The Parish Council has raised the following concerns:

- Lack of parking
- The risk of flooding and drainage issues
- Car parking on Low Moorgate
- Construction vehicles and parking
- Lack of infrastructure such as the Doctors Surgery and the Primary School
- A suggestion about linking the site to the public footpath to the east

There has been letters of objection received from 12 No. residents that raise the following issues.

- Loss of trees
- Loss of privacy;
- Loss of habitat;
- Car parking on Low Moorgate adjacent to the Sledgate junction;
- Congestion at the Traffic lights adjacent to the A64;
- Environmental impact;
- Loss of green space;
- The impact of the proposals upon a nearby holiday cottage business;
- Parking provision on site;
- A comment about whether adhering to Building Regulations constitutes sustainable development;
- Drainage;
- Density of development
- Impact upon local services, such as the Doctors surgery and the Primary School;
- Impact upon visual amenity;
- No on-site play areas;
- Many of the properties are large and not aimed at local people;

- The approval of residential development on the site could set a precedent for the development of other sites on Low Moorgate;
- Flood risks;
- Construction noise and disturbance; and,
- The creation of a possible 'rat run' onto Manor View.

The issue of residential amenity, loss of habitat, environmental considerations, drainage and flood risk are addressed in the appraisal above. The loss of the green space is noted, however there is a requirement for the Council to maintain a deliverable supply of housing, and given the location of the site and the earlier approval of Phase 1, the loss of the green space is not considered to be objectionable in this case. There is no proposal for any linkages onto Manor View. The suggestion of linking the scheme with the public footpath to the east has been discussed above. The proposed development, will partly urbanise this site however, it is not considered to have an adverse effect upon the amenities of surrounding occupiers or of nearby holiday cottages or the wider landscape. It should be noted that the site is a preferred site for housing in the Consultation on Housing Sites 2015. The approval of this application is not considered to set an undesirable precedent for other sites to be developed on Low Moorgate. Each application has to be considered on its own merits against the Development Plan unless material considerations indicate otherwise. The comment about the scheme proposing many larger houses is understood and Officers have negotiated a better housing mix incorporating more smaller semi-detached properties and fewer large detached houses. This scheme as revised is considered to represent an acceptable housing mix and it satisfies Policy SP4 of the Development Plan.

The issue of parking on Low Moorgate, highway safety, the junction with Sledgate, on-site parking and access has been considered by the Highway Authority. If yellow lines are required on the public highway to deter parking, those powers are available for the Highway Authority to use at their discretion. Some construction noise and disturbance is inevitable with any scheme, however an informative is recommended to advise the developers to adhere to the Considerate Construction Scheme. It is not considered appropriate for on-site Play areas in this case, and part of the Developer Contribution from CIL will be available towards Public Open Space.

Conclusion

In view of the above assessment it is considered that there has been no significant or demonstrable harm identified that would outweigh the benefits associated with the proposal, the recommendation is therefore one of approval.

RECOMMENDATION: Approval subject to no objections being received from the Highway Authority and a S106 agreement in regard to Affordable Housing provision

- 1 Application for approval of reserved matters shall be made to the Local Planning Authority not later than 16 March 2017.

The development hereby permitted shall be begun on or before whichever is the later of the following dates:-

The expiration of two years from the final approval of the reserved matters or (in the case of approval on different dates) the final approval of the last such matters approved.

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:-

(i) External Appearance of the development hereby approved

(ii) the landscaping of the site

Reason:- To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

3 Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be commenced until the access to the public highway from this application site as approved on application 13/00652/MOUT has been constructed and available for use.

Reason: In the interests of highway safety and to ensure the site has suitable access to the public highway to satisfy Policy SP20 of the Local Plan Strategy.

4 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

5 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

6 Prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

7 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Local Plan Strategy.

- 8 Before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by Policy SP20 of the Local Plan Strategy.

- 9 No development shall take place until works have been carried out to provide adequate facilities for the disposal of domestic waste, in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:- To ensure that the development can be properly drained without damage to the local water environment, and to satisfy Policy SP20 of the Local Plan Strategy and the National Planning Policy Framework.

- 10 Unless otherwise agreed in writing with the Local Planning Authority, development shall not commence until actual or potential land contamination at the site has been investigated and a Phase 1 Desk Study Report has been submitted to and approved in writing by the Local Planning Authority. Should further intrusive investigation be recommended in the Phase 1 Report or be required by the Local Planning Authority, development shall not commence until a Site Investigation Report and if required, or requested by the Local Planning Authority, a Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority. Reports shall be prepared in accordance with Contaminated Land Report 11 and BS 10175(2011) Code of Practice for the Investigation of Potential Contaminated Sites. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to fully take account of potential contamination and to satisfy Policy SP20 of the Local Plan Strategy and the National Planning Policy Framework.

- 11 Notwithstanding the submitted drainage feasibility study and prior to the commencement of the development full details of the method of draining the site shall be submitted to and approved in writing with the Local Planning Authority.

Reason: To ensure the site can be effectively drained and to satisfy Policy SP20 of the Local Plan Strategy and the National Planning Policy Framework.

- 12 A) No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. Community involvement and/or outreach proposals
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:- The site is of archaeological interest and investigation/protection and observation of the site is required by the provisions of PPG16 - Archaeology and planning.

- 13 The development shall be undertaken in accordance with Section 10 of the Ecological Assessment by MAB submitted with the application dated February 2016 with details to be submitted to and approved in writing by the Local Planning Authority prior to such relevant works.

Reason: In order to fully address the impact upon protected species and to satisfy Policy SP14 of the Local Plan Strategy and the National Planning Policy Framework.

- 14 Prior to the commencement of the development, a drawing indicating the alignment of the protective fencing in accordance with the recommendations in BS 5837:2012 around trees to be retained shall be submitted to the Local Planning Authority for approval in writing. The approved fencing shall be erected prior to the commencement of the development including any demolition or soil stripping and shall be labelled 'Tree protection area – keep out'. Once erected the fencing shall remain in-situ until the completion of the development.

Reason:- To ensure that the trees to be retained are not damaged as a consequence of the development, and in accordance with Policy SP20 of the Local Plan Strategy.

- 15 Prior to the commencement of the development hereby approved precise details of the existing ground levels and the proposed finished ground floor levels measured in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to ensure a satisfactory external appearance and to satisfy SP20 of the Local Plan Strategy.

- 16 Any surface water discharge into Rilington Beck shall not exceed 1.4litres/second.

Reason: In order to protect against flooding within the IDB network and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 17 No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement of that document).

Reason: To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity and to satisfy Policy SP17 of the Local Plan Strategy and NPPF.

- 18 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Reason: For the avoidance of doubt and in the interests of proper planning.

E12/5666/04E
E12/5666/06
AP 180 : 104 B
AP 180 : 102 C
AP 180 : 103 C
E12/5666/05
AP 190 : 100 A

- 19 Highway conditions as recommended

INFORMATIVES:

- 1 The applicant / developer is advised to adhere to the Considerate Construction Scheme.
- 2 The applicant/developer is advised that the designs and appearance of the proposed dwellings is not approved and these issues will be considered at Reserved Matters Stage.


Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties

Proposed Residential Development On Land At
56 Low Moorgate, Rillington, Malton YO17 8JW



Revision A - 16.03.16 - Location plan
revised to include Phase 1 access road

 <p>AP DESIGN SERVICES</p> <p>8 St. Matthews Close, Naburn, York YO194RT Tel: 01904 678045 Mobile: 07759 547773 E-mail: andy.perkin@tiscali.co.uk</p>	<p>DRAWING TITLE :</p> <p>Proposed Residential Development On Land At 56 Low Moorgate, Rillington, Malton YO17 8JW</p> <h2 style="text-align: center;">Location Plan</h2>				
<p>CLIENT:</p> <p style="text-align: center; font-size: large;">Mr J B Cook</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-right: 1px solid black; padding: 2px;"> <p>SCALE:</p> <p style="font-size: large;">1:1250 @ A4</p> </td> <td style="width: 50%; padding: 2px;"> <p>DATE:</p> <p style="font-size: large;">February 2016</p> </td> </tr> <tr> <td style="border-right: 1px solid black; padding: 2px;"> <p>DRAWN:</p> <p style="font-size: large;">AP</p> </td> <td style="padding: 2px;"> <p>DWG NO.:</p> <p style="font-size: large;">AP 180:100 A</p> </td> </tr> </table>	<p>SCALE:</p> <p style="font-size: large;">1:1250 @ A4</p>	<p>DATE:</p> <p style="font-size: large;">February 2016</p>	<p>DRAWN:</p> <p style="font-size: large;">AP</p>	<p>DWG NO.:</p> <p style="font-size: large;">AP 180:100 A</p>
<p>SCALE:</p> <p style="font-size: large;">1:1250 @ A4</p>	<p>DATE:</p> <p style="font-size: large;">February 2016</p>				
<p>DRAWN:</p> <p style="font-size: large;">AP</p>	<p>DWG NO.:</p> <p style="font-size: large;">AP 180:100 A</p>				

DATE VALID
15/03/16

Proposed Residential Development On Land At 56 Low Moorgate, Rillington, Malton. YO17 8JW



Please do not scale from this drawing. All dimensions should be checked and verified in the field. It is the client's responsibility to ensure that the proposed development is in accordance with the relevant planning legislation and any applicable conditions of any planning permission granted for the site. The client should also ensure that the proposed development is in accordance with the relevant legislation and any applicable conditions of any planning permission granted for the site. The client should also ensure that the proposed development is in accordance with the relevant legislation and any applicable conditions of any planning permission granted for the site.



Schedule Of Accommodation

Plot No.	House Type	Square Footage
1	C-Type - 2 Storey 4 Bed Detached House	1290 Sq. Ft.
2	E-Type - 2 Storey 3 Bed Detached House	1020 Sq. Ft.
3	C-Type - 2 Storey 4 Bed Detached House	1290 Sq. Ft.
4	B-Type - 2 Storey 3 Bed Detached House	1080 Sq. Ft.
5	H-Type - 2 Storey 3 Bed Detached House	825 Sq. Ft.
6	H-Type - 2 Storey 3 Bed Detached House	825 Sq. Ft.
7	A-Type - 2 Storey 4 Bed Semi Detached House	875 Sq. Ft.
8	F-Type - 2 Storey 4 Bed Detached House	1240 Sq. Ft.
9	C-Type - 2 Storey 4 Bed Detached House	1290 Sq. Ft.
10	C-Type - 2 Storey 4 Bed Detached House	1290 Sq. Ft.
Total Number Of Units = 10		10,525 Total Sq. Ft.
Total Net Developable Area (Excluding The Existing House & Land At 62 Low Moorgate)		6.88 Acres / 29,247 Sq. M.

Key:
 Existing trees and hedgerow to be retained shown dashed
 Existing trees and hedgerow to be removed shown solid
 Existing walls to be retained shown dashed
 Existing walls to be removed shown solid
 Existing trees and hedgerow to be retained shown dashed
 Existing trees and hedgerow to be removed shown solid
 Existing walls to be retained shown dashed
 Existing walls to be removed shown solid

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Proposed Residential Development On Land At 56 Low Moorgate, Rillington, Malton YO17 8JW

Proposed Site Layout Plan

Mr J B Cook

Scale: 1:200 @ A1
 Date: July 2012
 Drawn: AP
 Check: AP 180: 02 C

Proposed Site Layout Plan - Based On Holden Surveys Ltd Topographical Survey Drawing - APDS:04:Rillington - Carried Out 2nd May 2012

Proposed Residential Development On Land At, 56 Low Moorgate, Rillington, Malton. YO17 8JW

House Type	House Type	No.	Internal Area (Sq Ft) and (Sq M)
A-Type	A-Type - 2 Storey 3 Bed Detached House	2	474 Sq Ft / 43.9 Sq M
C-Type	C-Type - 2 Storey 4 Bed Detached House	2	530 Sq Ft / 49.1 Sq M
F-Type	F-Type - 2 Storey 4 Bed Detached House	2	546 Sq Ft / 50.7 Sq M
G-Type	G-Type - 2 Storey 4 Bed Detached House	2	530 Sq Ft / 49.1 Sq M
H-Type	H-Type - 2 Storey 2 Bed Terrace House	2	455 Sq Ft / 42.1 Sq M
K-Type	K-Type - 2 Storey 4 Bed Detached House	1	515 Sq Ft / 47.7 Sq M
L-Type	L-Type - 2 Storey 4 Bed Detached House	1	500 Sq Ft / 46.4 Sq M
M-Type	M-Type - 2 Storey 4 Bed Detached House	1	510 Sq Ft / 47.3 Sq M
Total Number Of Units = 15 (Note 1: 10 moved from Phase 1)			5113 Sq Ft / 473.7 Sq M
Total Net Developable Area Phase 2 (Shown By Red Line Boundary)			11,512 Sq Ft / 1,064.4 Sq M

Key

- Existing trees and proposed tree to be removed (shown dashed)
- Existing walls that are to be removed (shown dashed)
- Existing trees and fences retained
- Indicative proposed parking & garden areas
- Indicative private parking areas
- Indicative private parking areas or visitor parking (B/F)
- Indicative traffic calming areas
- Indicative vehicle access paths and boundary walls



Proposed Phase 2 - Planning Site Layout Plan (Combined With Adjusted Phase 1 Development With Plot 10 Moved From Phase 1 To Phase 2). Based On Holden Surveys Ltd Topographical Survey Drawing - APDS-04:Rillington - Carried Out 2nd May 2012 & Updated Revision A Survey Dated 9th June 2015 To Include Additional Land.

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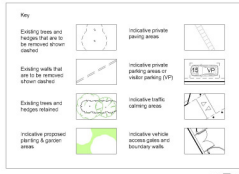
Mr J B Cook

DATE VALID: 15/02/16

1:300 @ A1 February 2016
 AP 180 - 101 A

Proposed Residential Development On Land At, 56 Low Moorgate, Rillington, Malton. YO17 8JW

Phase	House Type	No.	Internal Area (Sq Ft) and (Sq M)
A-Type	A-Type - 2 Storey 3 Bed Detached House	2	474 Sq Ft / 43.9 Sq M
C-Type	C-Type - 2 Storey 4 Bed Detached House	2	530 Sq Ft / 48.9 Sq M
F-Type	F-Type - 2 Storey 4 Bed Detached House	2	542 Sq Ft / 50.1 Sq M
G-Type	G-Type - 2 Storey 4 Bed Detached House	2	530 Sq Ft / 48.9 Sq M
H-Type	H-Type - 2 Storey 2 Bed Terrace House	3	455 Sq Ft / 41.9 Sq M
K-Type	K-Type - 2 Storey 2 Bed Detached House	1	515 Sq Ft / 47.6 Sq M
L-Type	L-Type - 2 Storey 4 Bed Detached House	1	500 Sq Ft / 46.2 Sq M
M-Type	M-Type - 2 Storey 4 Bed Detached House	1	510 Sq Ft / 47.1 Sq M
Total Number Of Units = 15 (Includes 1 Unit moved from Phase 1)			51 10 423 Sq Ft / 4627.7 Sq M
Total Net Developable Area Phase 2 (Shown By Red Line Boundary)			11,512 Sq Ft / 1,064.4 Sq M



Please do not scale from this drawing. All dimensions should be checked and verified on site. It is the responsibility of the client to ensure that the proposed development complies with all applicable planning and building regulations. The client is advised to consult with the appropriate authorities before proceeding with the development.



THIS COPY IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT. ANY CHANGES TO THE DEVELOPMENT PLAN MUST BE APPROVED BY THE AP DESIGN SERVICES. THIS COPY IS NOT TO BE USED FOR CONSTRUCTION. THE FINAL APPROVED COPY WILL BE PROVIDED TO THE CLIENT.



Proposed Phase 2 - Planning Site Layout Plan (Combined With Adjusted Phase 1 Development With Plot 10 Moved From Phase 1 To Phase 2). Based On Holden Surveys Ltd Topographical Survey Drawing - APDS-04:Rillington - Carried Out 2nd May 2012 & Updated Revision A Survey Dated 9th June 2015 To Include Additional Land.

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Mr J B Cook

DATE VALID: 15/03/16

1:300 @ A1 February 2016
 AP 180 - 101 A

Proposed Residential Development On Land At, 56 Low Moorgate, Rillington, Malton. YO17 8JW

REVISED PLAN

Please do not scale from this drawing. All dimensions should be checked and verified on site. It is the client's responsibility to ensure that the design, when constructed, is in accordance with the approved planning permission. The client is responsible for any necessary amendments to the design to ensure compliance with the approved planning permission. The client is responsible for any necessary amendments to the design to ensure compliance with the approved planning permission.

All materials and workmanship shall comply with the standards indicated by the British Standards Institution. The client is responsible for ensuring that the design, when constructed, is in accordance with the approved planning permission. The client is responsible for any necessary amendments to the design to ensure compliance with the approved planning permission.



Streetscape Elevation 1 - Looking North West Towards Plots 17 - 24



Streetscape Elevation 2 - Looking North East Towards Plots 22 - 27



Streetscape Elevation 3 - Looking South West Towards Plots 10 - 20



Revision A - 15.03.16
 Grids points added to plots 11, 13-17 & 20 on layout in accordance with streetscape elevations.
 Revision B - 01.07.16
 Streetscape elevations amended in accordance with updated site layout drawings AP 180-103 Revision C.
 Elevation 2 elevations removed from house types between ground & first floor level and corner points removed to Type as requested by owner.
 Revision C - 23.01.18
 Plot 11 house type elevation handed to match site layout.

AP DESIGN SERVICES 8 St. Matthews Close, Halifax, York, YO39 6ET Tel: 01974 879608, Mobile: 07799 947773 Email: info@apdesignservices.co.uk	PROJECT TITLE Proposed Residential Development On Land At 56 Low Moorgate, Rillington, Malton YO17 8JW
	PROPOSED SHEET Proposed Streetscape Sheet 1 - 1:200 Scale Proposed Layout Extract - 1:500 Scale
DRAWN BY Mr J B Cook	DATE 21/07/16
SCALE 1:200 & 1:500 @ A1	PROJECT NO. AP 180 - 103 C

Streetscapes to be read in conjunction with 'Rosetta Landscape Design' Tree Survey & Report - Ref 2425/1 Rev A

Proposed Phase 2 Indicative Streetscape Elevations - Sheet 1
 Based On Holden Surveys Ltd Topographical Survey Drawing - APDS:04-Rillington -
 Carried Out 2nd May 2012 & Updated Revision A Survey Dated 9th June 2015 To Include Additional Land.

ADDITIONAL PLAN



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KEY:

HOUSE SOAKAWAY	(H)
HIGHWAY SOAKAWAY	(HW)
TRENCH SOAKAWAY	(T)

Haigh Huddleston & Associates
Civil Structural Engineering Consultants

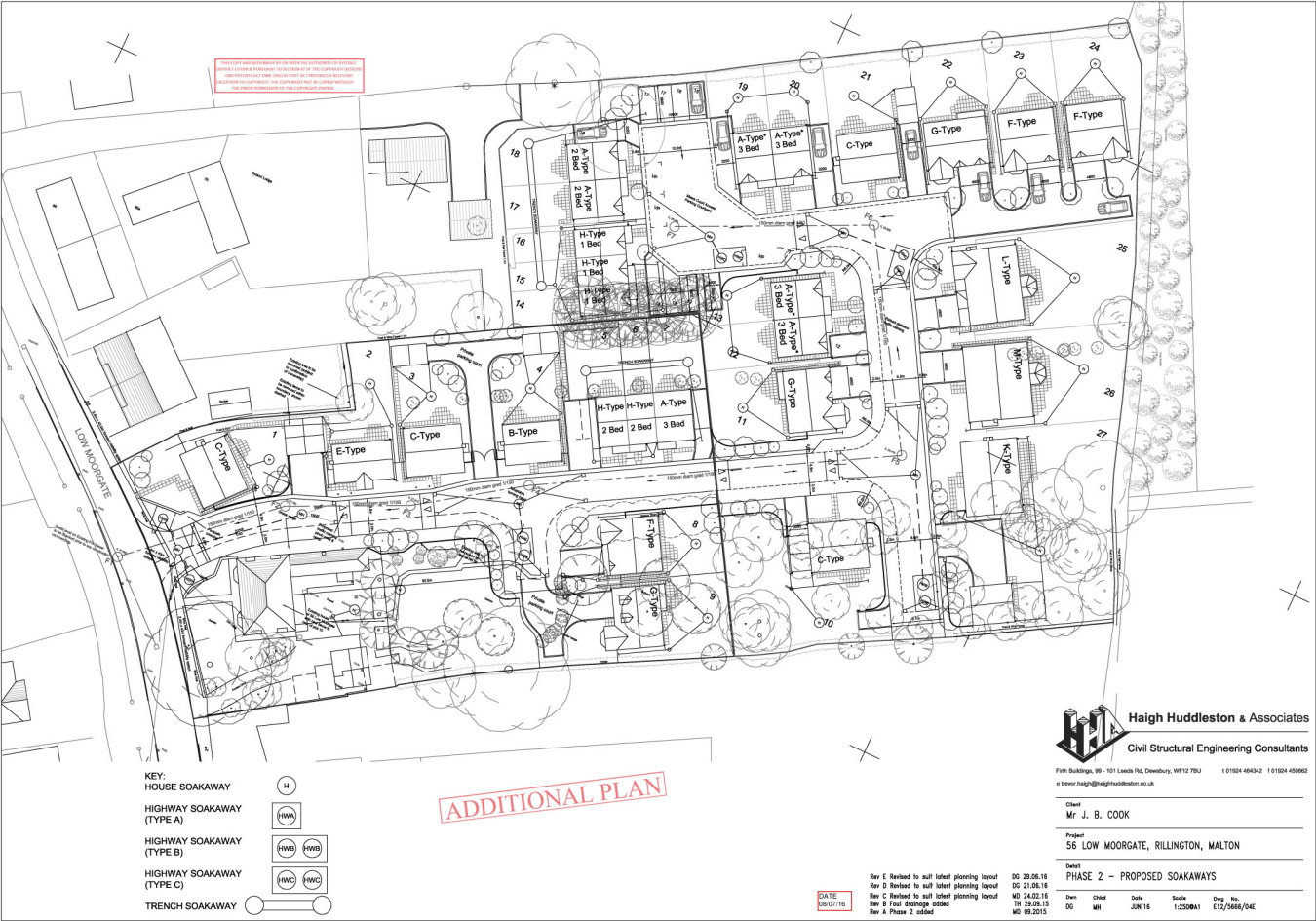
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Client: Mr J. B. COOK

Project: 56 LOW MOORGATE, RILLINGTON, MALTON

Detail: PHASE 2 - PROPOSED FLOOD EXCEEDANCE ROUTES

DATE: 22/04/18	Drawn: MD	Checked: DMH	Date: APR 2015	Scale: 1:2500A1	Drawn No: E12/5666/05
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- KEY:
- HOUSE SOAKAWAY (H)
 - HIGHWAY SOAKAWAY (TYPE A) (HWA)
 - HIGHWAY SOAKAWAY (TYPE B) (HWB) (HWC)
 - HIGHWAY SOAKAWAY (TYPE C) (HWC) (HWC)
 - TRENCH SOAKAWAY

ADDITIONAL PLAN

DATE	DESCRIPTION
06/07/16	Rev E Revised to suit latest planning layout
06/07/16	Rev D Revised to suit latest planning layout
06/07/16	Rev C Revised to suit latest planning layout
06/07/16	Rev B Final drainage added
06/07/16	Rev A Phase 2 added

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Client: Mr. J. B. COOK

Project: 56 LOW MOORGATE, RILLINGTON, MALTON

Date: PHASE 2 - PROPOSED SOAKAWAYS

Drawn	Checked	Date	Scale	Drawn No.
DG	MH	JUN'16	1:2500	ET2/5666/04E

**LAND AT LOW MOORGATE
RILLINGTON
MALTON
YO17 8JW**

**OUTLINE PLANNING APPLICATION:
PROPOSED RESIDENTIAL DEVELOPMENT
PHASE 2 PROPOSALS**

PLANNING STATEMENT

**PREPARED ON BEHALF OF
MR J B COOK**

February 2016

LILIAN COULSON PLANNING CONSULTANT

1.0 INTRODUCTION

1.1 This Statement is made in respect of the 2nd Phase of development proposed for land at and adjoining 56 Low Moorgate, Rillington. Outline Planning permission was granted in 2014 for the Phase 1 proposals (application no. 13/00652/MOUT, for the erection of 10 dwellings, associated vehicular access and erection of detached double garage for no 56) for the land within the development limits of the adopted Ryedale Local Plan. This application is for Outline approval for an additional 15 dwellings to the land to the rear, utilising the access previously approved as part of the Phase 1 development. As per Phase 1, Reserved Matters approval is again sought at this stage for access, layout and scale in so far as they are set out in drawings AP 180:101 Proposed Site Layout Plan and AP 180:103 Proposed Streetscape Elevations. This Planning Statement should also be read in conjunction with the following supporting documents:

- Design and Access Statement AP Design Services
- Flood Risk Assessment Haigh Huddleston & Associates
- Drainage Feasibility Study Haigh Huddleston & Associates
- Ecological Assessment MAB Environmental & Ecology Ltd
- Tree Report Rosetta Landscape Design
- Archeological Geophysical Phase Site Investigations
Survey

1.2 This Statement outlines the site and surroundings and the nature of the proposed development. It sets out the relevant planning policy context at national, regional and local level and assesses the proposed development against this policy.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site comprises an area of approximately 0.69 hectares (1.71 acres) located in the north-western part of Rillington, east of Low Moorgate and north of Manor View. It lies immediately to the east of the Phase 1 site (an area of approximately 0.42 hectares (1.05 acres)). The combined site of approximately 1.11 hectares (2.76 acres) will accommodate 25 new dwellings, as well as the existing house at 56 Low Moorgate. The Phase 1 site where development is already approved comprises overgrown extended garden land of 56 Low Moorgate and an adjoining paddock land to its north, which was occasionally used on an ad hoc basis for the grazing of sheep. The Phase 2 site comprises the residual disused garden / former orchard of no 56, the residual part of the paddock immediately to the east, as well as disused stable buildings and associated land immediately to its north which forms part of the grounds of Barnfield (an adjoining bungalow).
- 2.2 Surrounding land uses are predominantly residential. The site is well related to the existing settlement, is contained by existing and approved housing to the west and south, and to the east by an established tree belt. To the north is open countryside. The current paddock is an 'anomaly' in the current street-scene as it provides a break in the frontage of a generally rural residential street, that is lined with houses of various ages, sizes and character, to reflect the fact that the village has grown organically. Hence the front portion (Phase 1) now has the benefit of planning consent for residential development for what is, essentially, an 'infill' development.
- 2.3 The surrounding houses are a mix of 2 storey detached and terraced houses, bungalows and dormer bungalows, which are mostly set back from the highway to create a natural building line. Houses on the east side of Low Moorgate front either directly onto the highway or are set back within garden walls, although there already exists some 'backland' development of dwellings (such as Byland Lodge and Barnfield). However, those on the west side are pleasantly located beyond the grass verge and beck that characterises the rural nature of the village. Newer modern housing, such as at Manor View to the south of the site, is typical of the many estates that have been developed in the village where detached and semi detached dwellings in small private gardens have been laid out in cul de sacs.
- 2.4 Site topography falls gently from east to west. There is a very slight fall from south to north. Site boundaries are a mix of trees, hedges, walls and fences, typical of those found in a village residential area. Existing features are retained where practicable, as set out in the Design and Access Statement and Ecological Assessment.
- 2.5 The adjoining Phase 1 site was unallocated under the provisions of the adopted Ryedale Local Plan and was not subject to any statutory designations in respect of any ecological landscape or historic interest. However it lay within the current development limits of Rillington; hence the site was 'split' into two phases to ensure that the Phase 1 proposals would be policy compliant with the adopted Ryedale Local Plan as the replacement Ryedale Plan was still not detailed enough to be a material consideration at that time. By nature, the site as a whole resembles more of an 'infill' site and its development would complete the

streetscape in this part of the village, whilst providing much needed additional housing in this designated Service Village.

- 2.6 The site has good accessibility to village services such as shops, schools, leisure / community facilities and surrounding public transport links. Supporting its status as a Service Village, and within easy walking distance of the site, is a primary school, post office / village shop and other local shops, church, public house, village hall and a large area of public open space including cricket, football and children's play facilities. The latter in particular is outdated and would benefit from upgrading. Regular buses travel to the nearby towns of Malton (with its train station) and Norton, as well as further afield to York, Tadcaster and Leeds to the west and to Scarborough, Filey and Bridlington to the east. Both the site and the village are therefore sustainable and easily accessible to employment, shops and other local services.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposed development is for the erection of 16 dwellings comprising:
- 3 two bed houses
 - 2 three bed houses
 - 10 four bed houses of various sizes
 - 1 five bed house
- 3.2 Based upon a net developable area of 0.69 hectares, the development proposes a density of 23 dwellings per hectare. This reflects both NPPF and Local Plan advice to optimise the development of housing sites, but at a density that respects the rural nature and character of its surroundings. It is proposed that the 11 four and five bed houses are for open market sale and the 5 two and three bed houses will be affordable dwellings. The Design and Access Statement seeks to set a 'design code' for any future Reserved Matters application. It is proposed that all dwellings will be two storeys in height as per many of the surrounding dwellings, be designed to fit in with the local vernacular (see Proposed Streetscape Elevations) and be constructed in compatible materials.
- 3.3 A single vehicular access point was approved for the new development from Low Moorgate, immediately north of 56 Low Moorgate. The access road for the new development was designed in consultation with North Yorkshire County Council Highways officers. As an Informal Access Road, it is capable of being extended to serve circa 25 dwellings and so was designed at that time to serve the Phase 2 land in due course. This shared surface road was designed to retain the rural character of the village and yet provide a safe environment for cars, cyclists and pedestrians alike. Its detailed design, including visibility splays and indicative drainage, were approved as part of the Phase 1 approval. Therefore, the Phase 2 development now proposed leads off the existing approved access into informal cul de sacs, to retain the previously approved informal rural character of the proposals that the Planning Committee complemented when the previous application was considered.
- 3.4 The proposed indicative layout seeks to retain existing trees and hedges where practicable, and proposes supplemental planting to soften boundaries and streetscapes.
- 3.5 Full details of the proposed scheme are shown on the drawings AP 180:101 Proposed Site Layout Plan and AP 180:103 Proposed Streetscape Elevations and Design and Access Statement accompanying the application.

4.0 TECHNICAL REPORTS

- 4.1 A number of Technical Reports have been commissioned in respect of the proposed development and these accompany the application. A summary of the key points from each of these Reports is set out below. For further details, reference should be made to the full Reports.

Design and Access Statement

A P Design Services

- 4.2 The Design and Access Statement sets out the design principles that have been followed in establishing proposals for the site and how issues relating to access have been addressed. It follows good practice guidance as set out in DCLG Circular 01/2006 and in Section 6 of DCLG's Guidance on Information Requirements and Validation (March 2010) in that it is concise and takes a proportionate approach, while effectively covering all of the design and access issues for the proposed development.
- 4.3 The Phase 2 proposals are an extension of the approved Phase 1 development and use the access and follow the same design principles as those already approved. The proposals are designed to be developed as a comprehensive site by a single developer and it is important that a similar quality and mix of dwellings types and build standards are approved to allow this to be achieved. The form of development has been shaped by a number of considerations:
- The existing and approved houses adjacent to the site are built and designed in a variety of architectural styles. The proposed Phase 2 development has been designed to keep in scale with the existing buildings and surrounding area and also in context with the previously approved houses on the adjoining Phase 1 development.
 - The linear nature of the site allowed an Informal Access Road to be used that meets NYCC Highways design guidance to provide a safe environment for both vehicles and pedestrians and yet respects the rural nature of the locality. NYCC's Design Guide states that this road is designed to accommodate around 25 dwellings. The Phase 1 proposals gave approval for 10 new dwellings. However, it is now proposed that one plot be 'transferred' to Phase 2 (plot 10) and hence the Phase 2 proposals are for 16 dwellings, thus bringing the total number of dwellings of the combined site to be serviced off the access road to 25, in accordance with the Design Guidance.
 - A mix of house sizes and types are again proposed to meet a range of housing demand and needs and yet reflect the mix of dwellings surrounding the site. A mix of terraced, semi detached and detached dwellings are proposed, with detached dwellings in particular used on boundaries with the countryside to retain rural views from the street.
 - The rural nature of the site is also retained through long distance views of the countryside looking down the new access road, with a focal point of an attractive house at its head. This is repeated at the head of the cul de sac to the north, thus creating attractive streetscapes.

- Trees and hedges are retained where practicable to soften the development, provide screening for neighbouring properties and assist ecological considerations. New planting is also proposed, particularly on site boundaries.
- 4.4 The Statement confirms that the site has good accessibility to village services such as shops, schools, leisure / community facilities and surrounding public transport links. It will also meet good practice regarding sustainability and climate change mitigation. It concludes that the proposals will create a high quality development that will have its own character and yet fit in well with the village's vernacular.

Flood Risk Assessment

Haigh Huddleston & Associates

- 4.5 As per Phase 1, the Flood Risk Assessment confirms that, based on the Environment Agency's Flood Risk Maps, the site does not fall within the 0.1% Flood Risk and nor does it fall within the 1% Flood Risk Area. It therefore falls within the low probability Flood Zone 1. Based on these simple criteria, the sequential test is met and the development is considered appropriate.

Drainage Feasibility Study

Haigh Huddleston & Associates

- 4.6 As outlined in the Reports and in the Flood Risk Assessment above, as per Phase 1, ground investigation and soakaway tests undertaken immediately after a prolonged period of wet weather and surface water flooding have again confirmed that the site is suitable for the use of infiltration systems. Each dwelling or group of dwellings would have a private soakaway to allow surface water from rainfall events to dissipate into the ground. The highway can be drained to soakaways situated immediately to the rear of highway surfaces so that regular maintenance can be achieved at all times. Thus there will be no discharge of surface water from the site into the combined sewer in Low Moorgate.
- 4.7 Foul drainage can connect to the existing combined sewer in Low Moorgate which appears to be sufficiently deep enough to service the proposed development, although some localised raising of plots (13 – 17) may be required.
- 4.8 Therefore the surface water solution (ie infiltration systems) for the proposed development meets the preferred hierarchy solution of the Environment Agency, Yorkshire Water and NYCC and the foul drainage can be satisfactorily accommodated.

Ecological Assessment

MAB Environmental & Ecology Ltd

- 4.9 Following surveys in 2012 and 2013 for Phase 1, MAB Environmental & Ecology Ltd surveyed the Phase 2 site in summer 2015 during the appropriate survey seasons to assess the potential impact of the proposed development on habitats and protected / notable species, provide any necessary mitigation proposals and assess the requirement for protected species

Lilian Coulson Planning Consultant
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licensing. The work was undertaken in conformity with the previous work undertaken previously with Ryedale District Council's Ecologist to ensure that the scope of works undertaken is satisfactory and appropriate to an Outline application of this nature.

- 4.10 Bat roost records for a 2km radius around the site were commissioned and any buildings on site were assessed for their degree of potential to support roosting bats. There was no fresh evidence of bats in the buildings (including the stables) and an emergence survey confirmed that they are not used for roosting. No further survey work is required, although it is recommended that demolition follows good working practices and precautionary measures.
- 4.11 There are no breeding bird or barn owl issues within the outbuildings. There is potential for breeding birds in trees and shrubs to be removed and the Method Statement at the end of the Ecological Assessment Report should be used to avoid disturbance to nesting birds. This recommends that the removal of any hedging, shrubs or trees that may be suitable for bird breeding should be timed to avoid the bird breeding season or, if undertaken within this season, that an ecologist supervise the removal of such vegetation to check for signs of nesting activity and ensure no nests are disturbed.
- 4.12 A Phase 1 Habitat Survey was carried out. This confirms that the majority of the site comprises amenity grassland within gardens, a mature garden / orchard area and semi-improved grass paddock. No notable or protected habitats will be affected by the development.

5.0 STATEMENT OF COMMUNITY INVOLVEMENT

5.1 The Council's own Statement of Community Involvement (adopted November 2006) defines 'major' applications as 'developments of **over** 10 dwellings or commercial developments extending to over 1,000 square feet in size', those 'that can be considered significant in terms of local importance, environmental impact or relating to an issue, location or impact that could be considered as contentious or controversial (therefore eliciting significant local interest)', or 'any application that is not in line with existing development plan policies'. This varies slightly from the directive available at that time contained in the Town and Country Planning (General Development Procedure Order 1995 which defined a 'major application' for housing as one of 10 dwellings or more or on a site of 0.5ha or more. This definition is reconfirmed in current updated advice contained in the subsequent Town and Country Planning (Development Management Procedure) (England) Order 2010 where "major development" means development involving any one or more of the following:

'(c) the provision of dwellinghouses where —

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i).'

This planning application lies within the settlement's existing and proposed amended Development Limits and complies with the adopted Ryedale Plan – Local Plan Strategy policies, and is for 16 new dwellings (an additional 15 to the 10 previously approved on the adjoining Phase 1 land to the west, with 1 dwelling 'relocated' from the Phase 1 site to Phase 2 to improve the amenity of the retained house at 56 Low Moorgate and lessen the impact on its immediate neighbour). Whilst the application is not considered to be contentious, under the Regulations it is defined as a 'major' application.

5.2 In view of the above and in line with the NPPF and other Government statements re Localism, it was considered important during preparation of the Phase 1 proposals to explain and set out the longer term intentions to develop Phase 2 and therefore to consult with and keep neighbours surrounding the site informed at that time. Likewise, the proposals were also discussed with the local Ward Member as well as Rillington Parish Council, thereby meeting and exceeding the minimum requirements advocated by the Council's Statement of Community Involvement.

5.3 The neighbours surrounding the site were initially consulted when site investigations were being undertaken in 2013 and were generally supportive of the principle of the site's development, and its potential extension in the future. It was appreciated that they would wish to ensure that their amenity is protected and therefore the landowner made reasonable endeavours to meet with as many neighbours as possible, prior to the submission of the application, to show them the layout proposals. The majority, including those living opposite the site on the west side of Low Moorgate, considered that the proposed development would have little affect on their property and their amenity, although there were some representations made to the Council when the application was submitted. Only the owner of 62 Low Moorgate, immediately adjoining to the north of the existing paddock, outlined concerns about his view onto the back of the house proposed on plot 1 and their potential loss

of privacy should any windows on the side elevation of the new property overlook his house and garden. In consultation with the planning officer and the neighbour, the plot was carefully re-positioned in a set back position to avoid overlooking to the front and rear, and to create an attractive streetscape onto Low Moorgate. No windows were included in this elevation in order to protect the amenity of no 62.

- 5.4 The Phase 2 proposals are set back away from the Low Moorgate frontage and therefore will have minimal impact on the streetscape. The nearest house affected, Barnfield, to the north, is owned and lived in by one of the site's landowners and his views were sought during preparation of the proposals. The proposal to relocate 'plot 10' from the garden land of no 56 in Phase 1 to the new Phase 2 will reduce the impact on the garden of 52 Low Moorgate and should therefore be welcomed.
- 5.5 The proposals are to be presented to Rillington Parish Council and the local Ward Member at its next meeting on 14 March 2016 to ask for their detailed views. They are already aware of the site as the previous consultation for Phase 1 (undertaken in 2013) set out both the details of the Phase 1 development, as well as the intention to promote the site's extension during the Local Plan process, when no adverse comments were received. The Parish Council has been involved in consultations by Ryedale District Council during the various stages of the Local Plan Strategy and Local Plan Sites documents, and the minutes of Rillington Parish Council dated November 2015 confirmed their position that they *'felt that if all the proposed areas of land were developed it could lead to a three- fold increase in the number of local houses. It was felt that there is a lack of infrastructure to cope with such an increase. Traffic on the already busy A64 would increase substantially, with the existing level of traffic already requiring a by-pass to be built. The local school was already at capacity.'* Representations were to be made to RDC accordingly. However, it should be noted that no site specific representations / objections were made on the preferred development site located within Rillington: Site 638 (this site), described as *'Land to the east of Low Moorgate and north of Manor View, Rillington (circa net additional 17 dwellings).'*
- 5.6 At the previous consultation, the Parish Council did not object to the principle of the site's development but requested a mix of 'affordable' housing to allow the opportunity for more locals to potentially access homes of a suitable size and tenure. They suggested a mix of 2 and 3 bed homes and a mix of housing tenures (for rent and intermediate tenure) and, in anticipation of this, this has been replicated in the Phase 2 proposals. It was agreed for Phase 1 that the size and scale of the application meant that the POS requirement would be appropriately met by an off-site commuted sum which would allow the Parish Council to upgrade its existing facilities; for Phase 2, the application lies below the on-site threshold and CIL will allow further funds to be provide to supplement the upgrading works desired. It is hoped that the forthcoming discussions will assist the Parish Council in formally responding to the planning application when consulted by Ryedale District Council in due course.
- 5.7 The planning application site is relatively small and part lies within the current settlement's development limits and part is the Council's preferred residential development site in the village. It is therefore hoped that the principle of the site's development is accepted as set out above and that comments in due course will relate to the quality of the proposals. Any

comments received as a result of these discussions will hopefully assist the negotiations with Planning Officers once the application is submitted and can inform the detailed design of any Reserved Matters application in due course.

6.0 PLANNING POLICY CONTEXT

National Planning Policy

- 6.1 National policy is now contained in the National Planning Policy Framework (NPPF), issued by the Government in March 2012. It replaces the Planning Policy Statements (PPS) and the majority of their technical guidance supplements. The NPPF sets out under Annex 1 the way in which it is to be implemented following publication. It makes clear how development plan policies should be treated in terms of material considerations in relation to the determination of planning applications. Paragraph 214 sets out that full weight should be given to policies adopted since 2004 (subject to the caveat at footnote 39) for 12 months from the day the NPPF was published. Paragraph 215 sets out that following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 6.2 The NPPF is therefore a material consideration in all planning decisions. The starting point for all decisions on applications is the local development plan unless material considerations indicate otherwise. There is now an accepted presumption in favour of sustainable development and this is to be seen as 'a golden thread running through plan making and decision taking'. Therefore, development proposals which accord with the development plan should be approved without delay. If the development plan 'is absent, silent or relevant policies are out of date', planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.
- 6.3 The whole of the NPPF elaborates on what constitutes sustainable development for the purposes of planning policy and interpretation. Essentially it is summarily defined as having three dimensions: economic, social and environmental. These three dimensions are mutually dependant. 'Therefore, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system'. (Para 8)
- 6.4 A set of 12 core planning principles are established in Paragraph 17 of the NPPF and these are to underpin plan making and decision taking. These include:
- Decisions being plan led with a high degree of predictability and efficiency.
 - Should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve places in which people live their lives.
 - Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
 - Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
 - The transition to a low carbon future is to be supported, including taking full account of flood risk.

- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- 6.5 In the first section of the NPPF under the heading 'Building a strong competitive economy' there is recognition that the lack of sufficient housing can be a barrier to investment. Sustainable economic growth is to be positively and proactively encouraged.
- 6.6 Section 6 of the NPPF deals with the delivery of a wide choice of quality homes. The supply of housing is to be significantly boosted. A five years deliverable land supply is to be maintained with an additional 5% buffer supply to ensure choice and competition in the market for land. This buffer is to be increased to 20% where there has been a record of persistent under-delivery of housing. The Inspector who considered the Ryedale Core Strategy concluded that Ryedale is a local authority that has a record of persistent under-delivery with the Council confirming that it did not have a five year land supply. The housing and economic policy requirements of the Local Plan Strategy have been formulated accordingly.
- 6.7 All housing applications are to be considered in the context of the presumption in favour of sustainable development. If the local planning authority (LPAs) cannot demonstrate a five years supply of deliverable sites, then the relevant policies for the supply of housing should not be considered up to date. A good mix of types of housing are to be provided in order to deliver a wide choice of high quality homes and to widen opportunities for home ownership. Where an affordable housing need has been identified, policies should seek to meet this need on-site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
- 6.8 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. LPAs should avoid new isolated homes in the countryside unless there are special circumstances.
- 6.9 Section 7 of the NPPF sets out the general policy expectations for achieving high quality design. 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making better places for people.'
- 6.10 Planning policies and decisions should establish a strong sense of place, optimise the potential of the site to accommodate development and respond to local character and be visually attractive as a result of good architecture and appropriate landscaping). (Para 58)
- 6.11 LPAs are to approach decision taking in a positive way in order to foster the delivery of sustainable development (para 186). LPAs should look for solutions rather than problems

and applications for sustainable development should be approved wherever possible (para 187). Pre-application engagement and the 'frontloading' of negotiations is strongly encouraged (paras 188 to 195).

- 6.12 LPAs should only use planning conditions and obligations where these are necessary to make a development acceptable. Planning obligations in particular must be directly related to the development and fairly and reasonably related in scale and kind (para 204). LPAs should take account of changes in market conditions over time and be sufficiently flexible to prevent planning development being stalled. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all respects (paras 205 and 206).

Local Planning Policies

- 6.13 The relevant local policies in the adopted development plan are contained in the Regional Strategy for Yorkshire and the Humber (RSS – adopted May 2008) and the Ryedale Local Plan (adopted 2002). The Order to revoke the RSS (as amended, to retain the York Green Belt) came into force on 22 February 2013 and therefore its policies can no longer carry any weight. The Ryedale Local Plan was adopted in 2002 and was, until recently, the adopted statutory Development Plan for the District. In September 2007 a number of policies within the Plan were confirmed as 'saved' until such time as they are superseded by adopted policy from the emerging LDF. Until the full suite of LDF documents are adopted, Ryedale District Council will not have an up to date development plan. The implication is that due weight must now be given to the policies in emerging LDF documents, but only to the extent that any draft policies are consistent with the NPPF, evolving national policy and any documents of the Plan adopted to date.
- 6.14 The Council is currently progressing through the various steps required to replace the adopted Ryedale Local Plan with the new style Local Plan. The Local Plan will consist of a number of documents which are topic specific and subject to separate drafting processes, including independent examination by an Inspector on behalf of the Secretary of State, prior to adoption. The new development plan will be known as The Ryedale Plan and will comprise the Local Plan Strategy (the Core Strategy) document, the Local Plan Sites (Sites Allocation) document, the Helmsley Plan and Proposals Map. On 5 September 2013, Ryedale District Council adopted the Ryedale Plan - Local Plan Strategy Development Plan Document (DPD). The Ryedale Plan – Local Plan Strategy is part of the new replacement Local Plan for the District. It sets out the long-term vision, objectives and planning strategy for 15 years to 2027. The adoption of the Ryedale Plan - Local Plan Strategy means that almost all of the 'saved' Ryedale Local Plan Policies adopted in 2002, have now been replaced. However, whilst most of the policies have been superseded, the adopted proposals maps for the district and towns and village inset maps currently remain as part of the Development Plan.
- 6.15 Whilst work on the Local Plan Strategy was being undertaken, the Council approved its Site Selection Methodology and a deadline of 28 February 2013 was set for the submission of sites for consideration for allocation in the Local Plan Sites Document, which were then all

assessed through a carefully considered Site Selection Methodology. On 31 March 2015, Ryedale's Planning Committee considered the Local Plan Sites Document: Preferred Site Options (Service Villages and Kirkbymoorside) and resolved to adopt all of its recommendations. The recommendations agreed included that *'all of the sites in locations outside of the Market Towns and Service Villages (and not included in the tables within Appendix 2) are not taken forward a part of the site selection process'* and that *'the sites listed in paragraph 6.21 are consulted on as preferred development sites for the Service Villages'*. Thus, of the over 600 sites put forward throughout the District and assessed by officers through the Site Selection Methodology, only 4 sites were approved by the Planning Committee as proposed housing allocations to fulfil the needs of the Service Villages. One of these is Site 638 (this site), described as *'Land to the east of Low Moorgate and north of Manor View, Rillington (circa net additional 17 dwellings)'*. A similar report was taken to the Planning Committee regarding the Market Towns the following month. The Council undertook a full public consultation on its preferred sites in the Service Villages and potential option sites in the Market Towns from 2 November to 14 December 2015 and officers are currently considering the responses received.

- 6.16 The adopted Ryedale Local Plan Proposals Map and linked settlement commentary (see Inset 64) described Rillington as a large village that extends in four directions away from the central crossroads formed by Low Moorgate, High Street, Scarborough Road and Westgate. It stated that it contained a good range of community facilities and lay within 6 miles of Malton / Norton, the largest settlement in the Plan area. It was considered that the settlement had the ability to accommodate a limited amount of further housing growth without harming the basic form or character and without encroaching unacceptably into the open countryside. The Ryedale Plan - Local Plan Strategy recognises that, with approximately half of the District's population living outside of the main towns and in villages or more isolated locations dispersed across the District, those limited number of villages which do support a range of services and have good public transport links to the Market Towns should continue to perform this important support function. Consequently, in order to help sustain these facilities and to provide some additional housing choices for local communities, some new housing development is directed to a number of identified Service Villages. These are locations where it is considered appropriate to locate new small-scale housing development. Due to the availability of educational, commercial and community facilities available in Rillington, the village retains its status as a Local Service Centre and is a designated 'Service Village' in the newly adopted Local Plan Strategy. Thus, of the Council's preferred residential development sites for the Service Villages for the Local Plan Sites Document, the site at Low Moorgate is designated to fulfil this purpose.
- 6.17 The Phase 1 development site, previously approved, was located wholly within the adopted Ryedale Local Plan's Development Limits of Rillington. The Phase 2 land that is the subject of this application is located immediately to its east and is mainly outside of the adopted Development Limits, although the part comprising the land of the former stables is immediately to the north of the Phase 1 site and is within the current adopted Development Limits. However, the purpose of the Local Plan Sites Document is to allocate further sites for the next Plan period and to 'roll back' the current Development Limits to include the new allocations within the amended settlement limits, thereby updating them as part of the

replacement Ryedale Plan. Thus when the Local Plan Sites Document is adopted (assuming that no changes are made following the recent consultation), the site will become a designated housing allocation where new housing is expected to be delivered at an early date to meet local housing needs.

6.18 Local Plan policies of the adopted Ryedale Plan - Local Plan Strategy relevant to this application are summarised as follows:

SP1 GENERAL LOCATION OF DEVELOPMENT AND SETTLEMENT HIERARCHY states that Ryedale's future development will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of the following hierarchy of settlements:

- Principal Town - Primary Focus for Growth
- Local Service Centres (Market Towns) – Secondary Focus for Growth
- Local Service Centres (Service Villages)- Tertiary Focus for Growth

SP2 DELIVERY AND DISTRIBUTION OF NEW HOUSING states that the delivery of at least 3000 (net) new homes will be managed over the period 2012-2027. The new housing land allocations are to be distributed as follows:

- Malton and Norton – 1500 dwellings (50%)
- Pickering – 750 dwellings (25%)
- Kirkbymoorside – 300 dwellings (10%)
- Helmsley – 150 dwellings (5%)
- Service Villages – 300 dwellings (10%)

As one of the designated Service Village, Rillington is expected to take its appropriate share of residential development and this site has been proposed and consulted on as one of the Council's '*preferred development sites*' accordingly.

SP3 AFFORDABLE HOUSING requires 35% affordable housing to be provided on site, where need exists, as part of developments of 5 dwellings or 0.2ha or more. Where the on-site contribution does not equate precisely to whole numbers of units, equivalent financial contributions will be sought. This will be achieved by negotiations with developers and landowners to secure a proportion of the new housing as affordable units. In negotiating schemes, the Local Planning Authority will look to maximise provision to achieve these targets, having regard to the circumstances of individual sites and scheme viability. Developers / landowners will be expected to conduct negotiations on an 'open book' basis where the full 'quota' sought is considered unviable. The size, type and tenure of affordable units will be expected to reflect the affordable housing needs in the locality. Affordable housing contributions should comprise both social and affordable rent tenures as well as intermediate tenure types. However, the Planning and Housing Bill 2015-16 currently progressing through Parliament will also be a material consideration as there may also be a requirement to include 'Starter Homes' within this provision.

SP4 TYPE AND MIX OF HOUSING seeks to secure an appropriate mix of housing on new development schemes and safe residential environments. The type and size of new housing will be expected to address identified stock imbalances or, alternatively, in those locations where the stock is currently more balanced, to ensure a range of dwelling types and sizes are

provided in order to retain a balanced housing stock and provide choice in the housing market. To ensure housing is well designed and supports safe and inclusive communities, adequate private individual amenity space will be required to be provided as part of the development of new houses or retained as existing homes are extended. Outdoor environments should be designed to be safe and inclusive and to take account of the requirements of people of all ages and abilities

SP10 PHYSICAL INFRASTRUCTURE relates to physical and community infrastructure and any required infrastructure improvements, although the majority of these relate to the main towns rather than the Service Villages. The policy acknowledges that where some upgrading may be necessary or desirable (although most are marked as 'Low' risk in the analysis tables), the developer contributions and CIL, together with Public Funding / Capital Programmes of public sector service providers and the various Infrastructure utility providers, will fund those upgrading works required to local infrastructure.

SP11 COMMUNITY FACILITIES AND SERVICES supports the expansion of and improvements to local facilities, as well as new provision in appropriate locations, and sets out requirements for community facilities including open space, recreation and leisure facilities. It is noted that the number of dwellings proposed in the application falls below any of the thresholds listed in Table 4. However, CIL will allow some contribution to be passed to the local community.

SP16 DESIGN states that development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which: reinforce local distinctiveness; provide a well-connected public realm which is accessible and usable by all, safe and easily navigated; and protect amenity and promote well-being. Furthermore, to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings.

SP18 RENEWABLE AND LOW CARBON ENERGY requires that for all new build residential development, the proposal demonstrates that it meets the highest 'Code for Sustainable Homes' standard (or its successor) that is feasible and viable on the site. Currently only part of these standards is to be mandatory through Building Regulations because the Council considers that Building Regulations have a minimum or lowest common denominator approach to all building types in different locations. These standards will apply until a higher national or locally-determined standard is required. In Ryedale all development should be built to as high a standard as is feasible and viable. However, any requirements sought will still need to meet Government advice and ensure that any consent remains marketable and consequently implementable.

SP19 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT states that when considering development proposals, 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 always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that

accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise.

SP20 GENERIC DEVELOPMENT MANAGEMENT ISSUES reiterates the Council's commitment to the preservation of the District's character, good design, amenity and safety, and suitable access, parking and servicing in new developments.

SP22 PLANNING OBLIGATIONS, DEVELOPER CONTRIBUTIONS AND THE COMMUNITY INFRASTRUCTURE LEVY confirms that new development will contribute to the place-making objectives and aspirations of this Plan and to the infrastructure necessary to support future development in the District. The Local Planning Authority will continue to negotiate planning obligations/ developer contributions and will now (from 1 March 2016) charge a Community Infrastructure Levy (CIL) to address the necessary improvements to social, physical or utility infrastructure which are required as a result of new development. Planning obligations will be sought to regulate development, to address necessary on-site mitigation measures to address its impact or to provide compensation for the loss or damage to a facility, feature or resource of acknowledged significance. In negotiating contributions, the Council states that it will have regard to development viability; any proposed reduction in contributions will be weighed in the balance against the benefits of a scheme.

7.0 THE PLANNING CASE

- 7.1 The proposed development is highly sustainable and combines benefits under the economic, social and environmental dimensions of sustainability:
- The creation of 15 additional dwellings (over and above the 10 already approved under Phase 1) is an efficient use of the extensive garden and adjoining paddock and stables areas that are now surplus to requirements. This contributes to helping meet the considerable need for housing in a variety of locations that exists in Ryedale.
 - The development contributes to the social dimension by providing additional housing, including affordable housing, to meet the needs of the present and future generations. It will create a high quality built environment in an accessible location with reasonable access to local services and employment, which is outside but also within easy access of the main market town of Malton / Norton.
 - The development makes a contribution to improving the built environment and assists in achieving climate change objectives – see the Design and Access Statement, Flood Risk Assessment, Drainage Feasibility Study and Ecological Assessment summaries above and the Reports which form an integral part of this application.
- 7.2 The starting point for considering all applications is the Development Plan. If a proposal is in accordance with an up to date Development Plan, it should be approved. The Ryedale Plan - Local Plan Strategy (adopted in September 2015) is part of the new replacement Local Plan for the District and sets out the long-term vision, objectives and planning strategy for 15 years to 2027. But until the Local Plan Sites Document is adopted, the district and towns and village inset maps of the previous adopted Ryedale Local Plan are 'saved' and remain in force. The recent consultation on the Local Plan Sites Document: Preferred Site Options (Service Villages and Kirkbymoorside) included the application site as one of only four '*preferred development sites for the Service Villages*' and so this should also be a material consideration as a strong indication of the Council's support for its development. The application site lies partly within the settlement's Development Limits of the retained adopted Local Plan Proposal Maps Village Inset and part within the newly proposed preferred development site. The adopted Local Plan Strategy confirms the re-designation of Rillington as a Service Village (where 10% of the District's housing needs should be accommodated) and one that is capable of taking a limited amount of new development. Consequently, in these circumstances the NPPF states that permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits' when assessed against the NPPF policies taken as a whole. We will demonstrate that there are no adverse effects and that there are clear benefits to the proposed development and therefore the presumption in favour of sustainable development should be followed in this case.
- 7.3 The proposals comprise a small scale residential development in a residential part of a designated Service Village, where settlement specific policies clearly support further growth from infilling and small-scale development within the defined Development Limits on the Proposals Map. Part of the site is not subject to any specific allocation or designation, apart from being included with the current Development Limits, and part is a preferred residential development site in the forthcoming Local Plan Sites Document. Whilst garden areas are not considered to be previously developed land, part of the site is overgrown garden area that is

surplus to requirements. The remaining part of the adjoining paddock (that does not already have the benefit of planning consent) is rarely used and is also surplus to requirements. Likewise, the former stables and adjoining land to the north are also disused and surplus to requirements. Furthermore, Ministers purposely omitted the term 'brownfield' from the NPPF as it supports the development of land for housing in principle in **all** sustainable locations, irrespective of whether land would previously have been classified as 'greenfield' or 'brownfield'.

- 7.4 Whilst major residential developments have been granted consent and are being developed in the main market towns of Ryedale, very little development has taken place in recent years in the designated Service Villages generally or in Rillington itself. The Local Plan Strategy is seeking to address this by directing 10% of the new housing requirement to the Service Villages, of which Rillington is considered well serviced; hence the Local Plan Sites consultation has chosen it to accommodate the preferred site. This site, together with the adjoining site with consent, will be marketed as a whole at a very early date and thus will meet sustainability objectives in the short term. Its development will not only meet housing needs by providing homes for locals but also help to underpin local services in the immediate short-term.

Housing Mix and Design

- 7.5 A mix of house types and sizes and tenures are proposed. Background evidence for the LDF revealed that the housing stock in Ryedale is generally in balance with the housing requirements of those local people who can afford to buy properties. Therefore, the proposed development of a range of two bed terraced, three bed semi detached houses, and a mix of sized four and five bed houses will provide a range of properties for those wishing to relocate either within or to the village. Provision is included within the scheme for 'affordable' housing. It is suggested that a meeting be held with the Council's affordable housing officer to agree the dwellings and tenure mix, to ensure that the proposals conform with both Council and current Government policy.
- 7.6 The Design and Access Statement shows how careful assessment has been made of the local vernacular in order that the siting and scale and indicative design of the proposed dwellings will complement the existing character of the settlement and streetscape. All of the dwellings proposed are 2 storeys in height. Dwellings have been designed to safeguard the amenity of existing and proposed dwellings and their gardens. The proposed streetscape elevations contained within and accompanying the Design and Access Statement illustrate how the dwellings are of a traditional design and will create an attractive environment, thus also meeting the tests of NPPF. The design of the approved Phase 1 development was specifically complemented by members of the Planning Committee when that application was considered; the Phase 2 proposals proposed now continue that design seamlessly so that the two sites read as one. It is considered important to maintain the same mix and design of dwellings to ensure that the sites, when marketed together shortly, are attractive to the market and are developed at an early date. Whilst the application is again only in Outline form, the

submitted documents form an integral part of the application and can be conditioned to ensure that future development is constructed to the proposed standard.

Public Open Space

- 7.8 Table 4: Local Open Space Standards requires provision for Children and Young People in Villages of 1 LAP per 20 dwellings, 1 LEAP per 100 dwellings and 1 NEAP per 200 dwellings. The current application for 16 dwellings (15 net) falls under this threshold and therefore no on-site provision is required. Rillington Parish Council has previously agreed that greater community benefit will be achieved by the provision of a commuted sum as the village's existing public open space facilities at High Street - including a children's play area, cricket pavilion and football pitch – would benefit from upgrading. Even a small sum can be used as a catalyst to obtain larger funds and could be used to assist any such local proposals for the benefit of the wider community. It is hoped that the CIL that will become payable on this development that will pass to the Parish Council will prove beneficial for this purpose, together with the S106 monies they will receive upon the development of the Phase 1 site.

Affordable Housing

- 7.9 A community's need for affordable housing is a material planning consideration. Policy SP3 requires 35% of new dwellings as affordable housing on-site (in settlements outside West and South West Ryedale) as part of developments of 5 dwellings or 0.2 ha or more and it is this requirement that will apply to this development. It is appreciated that the Local Planning Authority will look to maximise provision to achieve these targets, having regard to the circumstances of individual sites and scheme viability.
- 7.10 It is currently anticipated that this provision can be provided, subject to negotiations achieving a similar affordable provision of the size, mix and tenure type achieved previously on Phase 1. It is appreciated that some policy requirements have changed in that CIL has now been introduced by the Council, but it is hoped that the increased costs of CIL can partly be mitigated by the affordable provision reflecting new Government advice (as contained in the Planning and Housing Bill 2015-16 currently progressing through Parliament) which will also be a material consideration and includes the requirement for the provision of 'Starter Homes' as part of the affordable provision. As the Council's current requirement is for affordable housing contributions to comprise both social and affordable rent tenures as well as intermediate tenure types, this should now be expanded to include Starter Homes. We are confident that this will provide a good range of house sizes and tenure types that will meet the needs of those already or wishing to live and work in Rillington or nearby.
- 7.11 The reports that accompany the planning application do not highlight the need for any 'abnormal' development costs. So subject to the reasonable requirements of consultees for planning conditions and adoption costs to allow the proposals to be implemented as currently proposed, there is no current reason to assume that the Council's affordable requirements cannot be met. However, this position could change if new additional costs arise beyond

those currently known, which reflect that of Phase 1. In principle, we would anticipate that the affordable housing from both phases would be offered to a Registered Social Landlord as affordable housing on the tenure base agreed. If there is any shortfall in policy provision, we anticipate that this will be made good by way of a commuted sum, thus making the application totally policy compliant in this respect. Again, as per Phase 1, this can be secured by way of inclusion in a S106 Agreement to be attached to the planning permission. We would suggest that a meeting be held with the Council's affordable housing officer at an early date to agree the affordable provision for the proposals.

Highways Design

- 7.12 There was no need to undertake new pre-application discussions with NYCC's Highways Officers as the Phase 1 application was designed in consultation with them and subsequently approved on the understanding that it would be capable of being extended in the future should the Phase 2 land be supported to accommodate the development needs of the following Plan period. The access road's design was chosen in conjunction with NYCC Highways as a road design that was in character with the rural nature of the site and to create an environment that was 'people friendly' and where cars do not dominate the environment. The design approved for the initial 10 dwellings, incorporating the required visibility splays, conforms to NYCC Highway Design Guide and was chosen as it was capable of being extended (without any alteration) in the future as it is designed to accommodate around 25 dwellings. Thus the Phase 2 proposals now link into the previously approved road for its access and extend the site to the east, with no new access required onto Low Moorgate.
- 7.13 Policy SP20 retains the Council's commitment to the preservation of the District's character and the need for good design, amenity and safety, and suitable access, parking and servicing in new developments. All of the proposed dwellings are provided with either spaces in a parking court or on-plot parking at an appropriate level commensurate with the size and anticipated occupancy of the house. A minimum of 2 on-plot parking spaces (including a garage) are provided for all detached properties. Furthermore, as per NYCC Highway Design Guide, the Informal Access Road chosen for the highway accommodates casual visitor parking within the wider sections of the core areas. Thus the access required to the site is taken from an already approved access road, with all parking and servicing requirements also satisfactorily met.

Drainage and Sewerage

- 7.14 The proposed drainage arrangements for the site are set out in the Flood Risk Assessment and Drainage Feasibility Study summaries above and in the Reports which form an integral part of this application. Ground investigation and soakaway tests undertaken immediately after a prolonged period of wet weather and surface water flooding have, as per Phase 1, confirmed that the extended site is suitable for the use of infiltration systems. Each dwelling or group of dwellings would have a private soakaway to allow surface water from rainfall events to dissipate into the ground and the highway can be drained to soakaways situated

immediately to the rear of highway surfaces so that regular maintenance can be achieved at all times.

- 7.15 Foul drainage can connect by gravity to the existing combined sewer in Low Moorgate which appears to be sufficiently deep enough to service the proposed development. However, some localised raising of plots 13-17 may be required. However, these plots are well screened by surrounding dwellings and this will have no adverse visual impact.
- 7.16 A sustainable system of drainage is therefore achievable which meets the sustainable credentials advocated by the NPPF. The surface water from the proposed development can be satisfactorily drained using infiltration systems, thereby meeting the preferred hierarchy solution of the Environment Agency, Yorkshire Water and NYCC. The foul drainage can connect to the existing combined sewer in Low Moorgate. Suitable conditions can be attached to the Outline planning consent to ensure that the satisfactory surface water and foul drainage advocated will be achieved.

8.0 SUMMARY AND CONCLUSIONS

- 8.1 National Planning Policy is contained in the NPPF which is a material consideration in all planning decisions. This directs that the starting point for all decisions on applications is the local development plan unless material considerations indicate otherwise. There is a presumption in favour of sustainable development and development proposals which accord with the development plan should be approved without delay.
- 8.2 The proposals comprise a small scale residential development of 16 new dwellings (15 net, over and above the 10 already approved in Phase 1) in a residential part of a designated Service Village, where settlement specific policies in the adopted Ryedale Plan – Local Plan Strategy clearly support further growth from infilling and small-scale development within the defined Development Limits of the designated Service Villages, and will also seek the early development of the preferred development sites of the Local Plan Sites Document which is progressing through the statutory process. The development would take place on part of an extended garden, former stables and paddock land that are surplus to requirements and which lie totally within the Development Limits of the 'saved' Village inset map and the proposed preferred development site. This emphasis on the ability of the settlement to accommodate a reasonable and appropriate level of future growth is contained in the adopted Local Plan Strategy document where the settlement is designated a Service Village and that part of the site outside the current village envelope is designated a preferred residential allocation.
- 8.3 The proposals are policy compliant in all respects and there are no adverse effects and indeed there are clear benefits to the proposed development. The site is located in a sustainable location and will afford clear economic, social and environmental benefits by providing much needed housing and support to local services in a high quality development that will have its own character and yet fit in well with the village's vernacular. It will meet good practice regarding sustainability and climate change mitigation as the site lies within Flood Zone 1 and consequently meets all sequential and flood risk tests, and will utilise a sustainable drainage system thus complying with the current drainage policies of the Environment Agency, Yorkshire Water and NYCC. Furthermore, no notable or protected habitats will be affected by the development.
- 8.4 The NPPF advises that LPAs should only use planning conditions and obligations where these are necessary to make a development acceptable. Planning obligations in particular must be directly related to the development and fairly and reasonably related in scale and kind. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all respects. In respect of this application, a S106 Agreement will be agreed to secure the affordable housing and CIL will fall due and can be used to help fund any off-site public open space and infrastructure upgrading required, so making the application totally policy compliant. Suitably worded conditions may also be attached to the Outline planning consent to ensure the standard of design, drainage and ecological mitigation and compensation offered is achieved in the site's subsequent development.

8.5 We therefore advocate that the presumption in favour of sustainable development should be followed in this case and the application should be approved without delay.

Design & Access Statement

Proposed Phase 2 Residential Development On Land At 56 Low Moorgate, Rillington, York



In support of the submitted planning application for a proposed Phase 2 residential development on Land at and adjoining 56 Low Moorgate, Rillington, York.

Design & Access Statement to be read in accordance with the accompanying planning drawings shown below - submitted February 2016

- AP 180 : 100 Location plan 1:1250 scale
- AP 180 : 101 Proposed Phase 2 site layout plan 1:300 scale
- AP 180 : 102 Proposed Phase 2 site layout plan 1:200 scale
- AP 180 : 103 Proposed Phase 2 streetscape elevations sheet 1 at 1:100 scale
- AP 180 : 104 Proposed Phase 2 streetscape elevations sheet 2 at 1:100 scale

AP Design Services - February 2016

1.0 Background & Location

The proposed development site is an extension of the approved Phase 1 development, and it leads on from the previously approved scheme from the highway that runs towards the north eastern boundary of the site (between Phase 1 plots 7 & 8). The site is located on land to the north east of 56 Low Moorgate, Rillington, York. Rillington is a village which is located approximately 5 miles north of Malton, and accessed via the A64 which passes through the centre. Rillington lies within the jurisdiction of Ryedale District Council Planning Authority.

2.0 The Design Process

The proposed design process follows on from Phase 1 with a similar design approach to create a residential development that comprises of a mixture of terraced and semi detached properties and smaller and larger detached properties to be built on land to the north east of the approved development, with a proposed site access leading from the highway from Phase 1. The site currently consists of disused garden / orchard and paddock area, which is located on land to the rear of 56 Low Moorgate, and also includes former stable buildings and associated land located to the rear of Barnfield. 70 Low Moorgate . The overall design evaluation for the proposals have followed on from Phase 1 to create a new development that is coherent with the approved Phase 1 so that the combined sites work together to create a single larger development rather than 2 separate individual sites. The designs have been created following close consultation with the client to create a new visually attractive development to serve the needs of the future owners and occupiers of the properties, whilst fitting in with the existing surrounding local area and village setting.

3.0 Physical Context & Scale

The area adjacent to Phase 2 is made up from a mixture of residential and open land. To the south west of the site leading from the Phase 1 previously approved development there is a mixture of approved 2 storey detached and terraced houses (plots 1 - 9) which lead on from the existing terraced and detached houses, bungalows and dormer bungalows which form the frontage to the original site access along Low Moorgate. There are also existing houses to the western boundary from 62-70 Low Moorgate and to the south eastern boundary of the site there are existing houses / development along Manor View. Towards the north and eastern boundaries around the site the area becomes more open land.



The drawing extracts shown above are taken from the Phase 1 Streetscapes and show examples of the approved properties adjacent to the new Phase 2 site which run along the access road of Phase 1 leading from Low Moorgate towards the new development.

The existing and approved houses adjacent to the site are built and designed in a variety of architectural styles which vary from the more traditional brick / rendered properties with clay tiled roofs to the more modern houses with buff brick work and concrete tiles above. As such there is no common theme or consistent design approach that runs across the existing village streetscape as a whole, and it is therefore the varying styles of houses and materials and also the mixture of old and new properties that forms the overall appearance of the area and this has been carefully considered when preparing the proposed design philosophy for Phase 2 leading on from Phase 1. The proposed development has therefore been designed to keep in scale with the existing buildings and surrounding area and also in context with the previously approved houses on the Phase 1 area of development.



The drawing extract shown left is taken from the Phase 1 site layout and shows examples of the approved properties and layout adjacent to the Phase 2 site which run along the access road leading from Low Moorgate in to the new development.

The photos below show examples of the existing properties along Low Moorgate adjacent to the site entrance to Phase 1. The existing houses are made up of a mixture of styles and vary in character and scale to create an attractive street scene along the site frontage.



There is existing and approved housing to the western and southern sides of the proposed Phase 2 development site. The proposed new Phase 2 housing development will create an infill development which will adjoin Phase 1 and will enhance the existing street scene that runs along Low Moorgate to create a development in character with the existing village.

The photos below show the existing property at 62 Low Moorgate adjacent to the access into Phase 1. The existing side elevation / gable of 62 Low Moorgate will face onto the side elevation of plot 1 within the approved development entrance frontage of Phase 1. Plot 1 was carefully positioned and designed with no side windows or doors to minimise the impact on the existing property.



The photo below (left) shows examples of the existing houses to the edge of the proposed Phase 1 development on the South West boundary, as viewed from the existing paddock area. The photo below (right) shows examples of existing properties on the development located at Manor View, off Low Moorgate located to the East of the proposed Phase 2 site.



4.0 The Proposed Design - Layout & Appearance

The proposed Phase 2 site has a total net developable area of 1.71 Acres / 0.69Ha, this is shown by the red line boundary and excludes the Phase 1 area. There are a total of 16 new proposed plots for Phase 2 , giving a total density of around 11,512 Sq. Ft / Acre. The new houses include a mixture of small 2 bed terraced properties with forecourt parking, slightly larger 3 bed semi detached houses with parking spaces to the side / front and a range of medium and larger 4 & 5 bed detached properties with detached / integral garage parking.

The style of the new houses will reflect the varying styles of the existing buildings around the site and also the approved properties to Phase 1. The new houses will include a mixture of both brick and rendered properties to break up the street scene frontages and the roofs will be made up from a mixture of tiles / slated roofs in varying colours with typical details such as corbelled eaves, pointed gable verges, dentil coursed brick work and chimney stacks. The fenestration may incorporate mock sash casement windows to reflect the local styles. Most of the existing buildings have front to back pitched roofs and this will also be replicated in the proposed designs across the proposed new development area of Phase 2.

The illustration shown below shows an extract from the proposed Phase 2 site layout drawing AP 180 : 102. showing the mixture of properties including smaller terraced and semi detached houses and larger 4 and 5 bedroom detached properties. The approved Phase 1 area of the development is highlighted blue on the area towards the south western boundary of the site.



Phase 2 is accessed from an extension of the approved highway that runs through the centre of the approved Phase 1 development between plots 7 & 8 (Phase 1). This leads into a new access road which runs north west through the centre of the development with a turning area to the south and a turning area to the north which leads to a mews court area to the western boundary. The smaller terraced / semi detached properties (plots 13 -17) are located to the western boundary with parking and access provided by the mews court turning area in front. This leads to slightly larger detached properties along the northern and western boundaries (plots 10 - 12 & 18 - 19) with a private driveway serving plots 20 - 22 in the north eastern corner of the site. The largest detached units (plots 23 - 25) are located along the eastern boundary of the site.

Plot 25 has been designed and positioned to create a focal point at the end of the highway leading from Phase 1 before the road splits at the new junction / turning head. This is also similar to plot 19 which also create a focal point at the end of the highway / junction that leads to the properties towards the northern end of the site. The new layout and positioning of the plots has been designed to try and keep the new houses as far from the boundary as possible to lessen the impact on the existing trees and planting around the boundary of the site and to help soften the relationship between the rear gardens and the open land to the north and east. Plots 10 and 25 have also been positioned with their detached garages to the southern boundary; this is to minimise the impact of the properties as viewed from the existing rear garden areas to the south of the site and also to reduce any possible issues with overlooking or loss of daylight to the neighbouring land towards the corner of the site.

The illustrations (shown below) shows an extract taken from the proposed streetscape elevations drawing AP 180 : 103, as viewed from Phase 2 looking north west and north east. The streetscape shows the varying scale and style of the proposed house types elevations.



The illustration (below) also shows an extract taken from the proposed streetscape drawing AP 180 : 103 & 104. The streetscapes shows the Phase 2 development looking south west across the site and also looking towards the western boundary towards plots 13-17.



The streetscape elevations show the relationship between the proposed new plots to Phase 2 and they also illustrate the various different elevational treatments that are proposed for the different house types across the site. The houses shown will vary in height, style and materials to help create a development that creates interest and variety across the whole development. This will help to create a new development that is consistent with the Phase 1 design and also importantly a development that will be in keeping with the local village setting. The proposed development has been designed to be sympathetic and respectful to the architectural style and heritage of the original housing and buildings that are located along Low Moorgate and also around the site boundary within the village area of Rillington.

5.0 Access & Proposed Highway

The main site is accessed via the existing approved highway that runs through Phase 1 leading from Low Moorgate as shown on the site layout extract below, which shows both of the Phase 1 and Phase 2 developments combined. The proposed access road comprises of a 4.5m wide carriage way with a 2.0m shared surface / service margin and a 0.6m wide hard margin / kerb. The entrance junction allows for a 2.0m wide shared surface or footpath to both sides with a crossing point to maintain pedestrian access from the proposed site. In order to delineate between the access road and the shared surface / pedestrian areas the materials will change to block paving to create a more informal shared surface access area.



This transition of materials will help to create a clear demarcation between the highway and pedestrian areas and will help to provide natural traffic calming to help slow vehicles down when entering the site onto the shared surface roads. The traffic calming will also be broken up by raised plateau areas / speed ramps and material changes between the block paving areas, kerb edging, tarmacadam and also the softer landscaped edgings and the private driveways / footpath access points across the site. This will help to create an informal access into the new development site where pedestrian access will be prioritised over vehicles. The change in materials and informal nature of the access and highway will also help to add to the visual appearance of the proposed development within the village setting of Rillington. The extracts below show typical area of traffic calming and the varying highway materials.



6.0 Sustainability & Climate Change Mitigation

The proposals for Phase 2 will provide a sustainable development adjacent to the local village setting following on from the previously approved Phase 1 development.

All works will be carried out in accordance with all current Building Regulations such as approved document L1B for the conservation of fuel and power and will meet all of the current sustainability requirements. This will include a high efficiency and low energy usage electrical installation to include low energy LED lights and electrical systems. This will be combined with a high efficiency insulation installation and low energy glazing requirements and also the use and installation of low energy appliances and low volume capacity sanitary installations, such as reduced water consumption sinks, baths and w.c's and a high energy efficient heating system / hot water boiler installation. This will ensure that the proposed development is energy efficient and will help to reduce the overall carbon footprint of the new dwellings and keep energy running costs low.

Under Building Regulations, the proposed houses will be required to use high efficiency construction materials for all new floors, walls and roofs and this will reduce heat loss from the new properties and help to reduce the energy / heating usage and carbon emissions.

The proposed houses all have generous garden which will provide adequate outside space for the drying of clothes, storage areas for refuse bins and recycling waste. Most properties include a garage and others could incorporate a storage shed to provide cycle and other storage at Reserved Matters stage. These installations will help to reduce the environmental impact of each new plot and ensure the sustainability of the development.

The proposals have no risk of flooding in accordance with the Environment Agency's guidance, and the site is located well outside the Environment Agency's flood zone maps. Please refer to the accompanying drawings and Flood Risk and Drainage Reports for the sustainable drainage proposals. To provide further mitigation for the effects of climate change the following design areas may be considered for the development in due course.

1. New paving to consider the use of permeable paving methods in appropriate locations in order to deal with surface water run off at source and to reduce the rate of surface water run off, such as concrete block permeable paving or permeable gravel material which allow surface water to drain through at a slower rate and reduce the impact further down stream.

2. Where practicable new paving should be laid to fall towards landscaped areas / garden areas to reduce water run off from the site, however this will need careful consideration for proposed new driveways to ensure water does not run onto the highway. All hard surfaced areas should be kept well maintained to ensure they are efficient in reducing the surface water run off rates.

4. The use of water harvesting butts may be used to allow for the storage and re-use of surface water run off from the main dwellings / garage roof areas to be incorporated in inconspicuous locations that do not detract from the visual appearance of the development.

4. It should be noted that the accompanying Flood Risk Assessment and Drainage Feasibility Study promote the use of sustainable drainage infiltration systems to serve the development to further optimise Sustainability and Climate Change Mitigation objectives

7.0 Land Use - Sustainability of Location

The existing site is currently an infill site which is made up of disused garden / orchard and paddock area, together with adjoining former stable buildings and associated land, on land to the rear of the approved Phase 1 development. The site is set within and adjacent to an area of residential use, within and adjacent to the current development limits of Rillington.

The existing location of the site benefits from the close proximity of local community features with local shops, a post office, pubs, a primary school, village hall and local play / sports facilities all located within a short walking distance from the proposed development.

Good transport links are provided by the local road network and public transport links offer good bus routes to the local villages and to Malton, York, Scarborough & Leeds. Rail networks also link from Malton to the main, regional and national rail networks.

8.0 Landscaping

The proposed Phase 2 development has been designed to include areas of landscaping across the site. The landscaped areas are a fundamental part of the scheme and will provide transitional spaces between the proposed new houses and the informal highway areas. This will create a development that is visually attractive and that will also blend in with the existing landscaping of the local area.

All properties have front and rear gardens to provide amenity and recreational private spaces for the owners. The front gardens create a softer approach to the development, and soft planting areas will also help to break up the street scene, particularly where the new development lead on from Phase 1 between plots 10 & 11 where the front / side garden areas allow the plots to be set back from the main road to soften the highway approach.

The rear garden areas also act as a buffer around the site perimeter to help screen the development from the existing neighbouring properties and land, and to help the proposed site blend in with the more open land towards the northern and eastern boundaries.

There are a number of existing trees across the site and around the perimeter and these have been kept wherever possible. The existing trees will provide an attractive setting to the development and will also help to provide a natural screen to the boundary areas. This is particularly evident to the western boundary and also the south eastern / south western site boundaries. A new hedge is proposed to the northern boundary to provide a natural edge to the development where it abuts open fields and will attract local wildlife. Please also refer to the Tree Report and Ecological Assessment that accompany the application.

The site will include hard landscaping such as boundary screen walls and fences / access gates between the proposed new houses / driveways and the boundary and field fences will remain to the boundary of the site. The materials for the proposed private paving areas, drives and private shared driveways will be chosen to match with the approved Phase 1 development and also to be in keeping with similar materials used within the surrounding local area. This will help to provide attractive hard landscaped transitional areas .

9.0 Conclusion

The proposed Phase 2 development will create an extension to the previously approved Phase 1 scheme and will create a new residential development of 16 plots (Please note that plot 10 has been moved from Phase 1 to Phase 2 so the total combined number of plots for Phase 1 & Phase 2 will be 25).The proposed development will be suitable based on the needs of the future residents to create new areas of living accommodation, whilst also balancing the constraints of the local area and surrounding environment. The location of the development will be set back away from the front streetscape and will have a low impact on the existing village area in which it lies. The design of the proposals have been evaluated to create a vibrant attractive development whilst staying within the context of the local area.

The design philosophy of the proposed Phase 2 development remains consistent with the approach to the approved Phase 1 design and will also importantly create a development that will be in keeping with the local village setting. The proposed development has been designed to balance with the architectural style and heritage of the original housing and buildings that are located along Low Moorgate and also to the areas of existing housing located around the site boundary within the village area of Rillington.

The scale of the proposed development is suitable for the location, and has been designed to minimise impact on the adjacent properties and local area. The proposals will not inhibit any existing access requirements to vehicles or pedestrians as they will be formed by extending the existing approved access road that runs from Low Moorgate through the Phase 1 development.

The land usage and density of plots is suitable for the proposed development to create an extension to the approved Phase 1 site. The number and density of plots has been kept low to minimise the impact on the local area and to help achieve an attractive development that reflects its rural location and allows sufficient space around each plot, rather than creating a high density over developed urbanised scheme. This will create a development that will be in keeping with the existing local village setting that will provide a mixture of smaller, medium and larger homes suitable for a varying market to create a development that has a low impact on the existing land and surrounding area.

The proposed Phase 2 development is sustainable both in terms of the design and also the construction processes and materials that will be used during the course of construction.

The overall design evaluation for the development has followed close consultation with the client to create an attractive extension to the existing Phase 1 development. This will help to increase new housing within the existing village setting, whilst creating a sustainable / low impact development that will be respectful to the existing local village setting of Rillington.

AP Design Services – February 2016

Subject: 16/00354/MOUT Land at Rear of 56 Low Moorgate, Rillington

From: A and C Adnitt
Sent: 12 July 2016 16:51
To: Development Management
Subject: Planning Application 16/00354/MOUT

Afternoon

Planning application Ref: 16/00354/MOUT relating to the development of 18 houses on land to rear of 56 Low Moorgate, Rillington, was considered by Rillington Parish Council, and there are a few comments that we wish to make in regard to this application:-

1. On reviewing the proposal the parish council feels that there is an overall lack of parking spaces with addition provision being required.
2. Local residents have expressed concerns on land drainage issues with the risk of flooding of major concern to residents.
3. Low Moorgate is already congested and any additional roadside parking will lead to major difficulties for local residents. The parish council feels that the provision of double yellow lines on Low Moorgate between the junction with the A64 and the junction of Sledgate should be provided and should be a condition of approval.
4. There is no space for contractors vehicles, comfort/administration units etc. on Low Moorgate. All contractors vehicles and equipment must be contained on site and off road to prevent further congestion on this road.
5. There is a lack of infrastructure to cope with the resulting increase in population, with the local school, medical facilities etc, being put under strain.
6. There is a public footpath running alongside the southern boundary to the proposed development. The parish council feels that a pedestrian connection should be provided from the end of the road between plots 24 and 25 onto the footpath.

Whilst there are no overall objections to this development as such, the parish council feels that the items listed should be conditions attached to any planning approval that may be given .

Regards
Chris Adnitt
Clerk to Rillington Parish Council

Agenda Item 8

Item Number: 8
Application No: 16/00721/HOUSE
Parish: Marishes Parish Meeting
Appn. Type: Householder Application
Applicant: Ian Wilson & Rachel Campion
Proposal: Erection of a two storey side extension and single storey rear extension (revised details to refusal 15/01437/HOUSE dated 01.02.2016)
Location: Rowan Cottage School House Hill Marishes Low Road Low Marishes Malton North Yorkshire YO17 6RJ

Registration Date: 13 April 2016 **8/13 Week Expiry Date:** 8 June 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Countryside Officer	Comments made and informative to be added
Highways North Yorkshire	No objection
Parish Council	Object
Countryside Officer	Request for bat survey

Neighbour responses: Paul & Amanda Welford,

Overall Expiry Date: 27 May 2016

Planning application 16/00721/HOUSE was presented to the 7th June 2016 Planning Committee. The application had originally been recommended for approval, however evidence was brought to the attention of the Council's Countryside Officer by a third party of possible bat activity. The evidence resulted in the Council's Countryside Officer requiring the applicant's to undertake a bat habitation survey prior to the determination of the planning application.

A copy of the earlier report is appended for ease of reference. A revised recommendation to Members of approval subject to the outcome of the survey or deferral subject to the outcome of the survey was therefore presented. Members resolved to defer the application. Subsequent to this, the Planning Officer has requested a bat survey from the applicant on more than one occasion but it has not been forthcoming. The Planning Officer and Countryside Officer also agreed to a request from the applicant for a meeting at Council Offices to discuss the matter. Officers offered a meeting that was not taken up by the applicant.

The application is therefore referred back to Members with a recommendation for refusal for the following reason.

RECOMMENDATION: Refusal

- 1 The applicant has failed to supply a Bat Habitation Survey as required, resulting in insufficient information for the Local Planning Authority to grant planning permission. In the absence of such information inadequate information has been submitted to demonstrate that there is no material adverse impact on protected species and the proposal is therefore contrary to Policy SP14 of the adopted Ryedale Plan - Local Plan Strategy 2013 and contrary to the National Planning Policy Framework with particular regard to Section 11 Conserving and enhancing the natural environment and paragraph 118.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties

Item Number: 11
Application No: 16/00721/HOUSE
Parish: Marishes Parish Meeting
Appn. Type: Householder Application
Applicant: Ian Wilson & Rachel Campion
Proposal: Erection of a two storey side extension and single storey rear extension (revised details to refusal 15/01437/HOUSE dated 01.02.2016)
Location: Rowan Cottage School House Hill Marishes Low Road Low Marishes Malton North Yorkshire YO17 6RJ

Registration Date:
8/13 Wk Expiry Date: 8 June 2016
Overall Expiry Date: 26 May 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Countryside Officer Comments made and informative to be added
Highways North Yorkshire No objections.
Parish Council Object

Neighbour responses: Paul & Amanda Welford,

SITE:

The site contains a two storey end of terrace dwelling at Low Marishes. The dwelling is of brick construction with a slate tile roof. There is a rear garden with parking to the side of the dwelling. There is also a single storey detached annexe within the curtilage of the dwelling.

The attached dwelling is known as Joiners Cottage. The application site is located outside of a defined settlement limit. Part of the rear garden is located within Flood Zone 2.

PROPOSAL:

Planning permission is sought for the erection of a two storey side extension and a single storey rear extension to the dwelling.

The rear extension will be 3.1 metres deep and have a mono pitched roof 3.7 metres high at the ridge and 2.5 metres high at the eaves.

The side extension will be 3.7 metres wide and 7.0 metres high. The extension will have a dual pitched roof and be set back from the front elevation of the dwelling.

The materials to be used in the construction of the extension will match the existing dwelling.

CONSULTATION RESPONSES:

There have been 2 objections to the application.

The occupiers of Joiner's Cottage have objected to the application. The full objection is available online on public access. A summary is below.

- loss of light to the lounge and bedroom windows
- overlooking and overshadowing the garden
- compaction of the ground during the build will have a severe impact on ground water drainage
- alterations and extensions undertaken at Rowan Cottage have led to an increase in flooding due to the inability of ground water to drain away
- Concerns over the physical condition of the vehicular access with relation to construction vehicles and materials

Marishes Parish Meeting object to the proposal due to a loss of light to the neighbouring dwelling.

Some of the contents of the objections relate to material planning considerations. As the application is recommended for conditional approval, under the Council's scheme of officer delegation it is brought to the Planning Committee for Members to consider and determine.

The remainder of the contents of the objections are not planning matters and are therefore not considered in the appraisal of the planning application.

POLICY:

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Ryedale Plan - Local Plan Strategy

Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

HISTORY:

10/00613/FUL - Approved - Change of use, alteration and extension of outbuilding to form a one-bedroom self-contained granny annex

15/01437/HOUSE - Refused - Erection of a rear two storey extension with single storey side entrance porch

APPRAISAL:

The key issues to consider are:

- i. Character and Form
- ii. Impact on neighbour amenity
- iii. Other matters

i. Character and Form

Extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials to accord with Policies SP16 (Design) and SP20 (Generic Development Management Issues).

The proposed extensions include a two storey side extension and a single storey rear extension that will project the full width of the dwelling and the proposed side extension. The roof of the proposed side extension will be set down from the main roof of the dwelling and the extension will be set back from the front elevation.

The rear extension will have a shallow pitched roof and patio doors to the rear elevation. The other windows to the proposed extensions will match the designs of the existing windows. The materials used in the construction of the extension will also match those used in the original construction. When considered against Policies SP16 and SP20, the proposed extensions are considered to be sympathetic and appropriate development to the dwellinghouse.

ii. Impact on neighbour amenity

In accordance with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy, new development is required to not have a material adverse impact on the amenity of present and future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.

The proposed rear extension will be 3.1 metres deep, a maximum of 3.7 metres in height, reducing in height to 2.5 metres at the eaves. Overall the rear extension is considered to be a modest development that will result in some loss of light to the rear habitable room at ground floor level. However, it should be noted that the extension to the rear, if constructed without the side extension, would fall within the Government's permitted development tolerances for rear extensions in terms of its height and that an extension projecting by up to 3 metres from the rear wall and up to 4.0 metres in height could be constructed without planning permission. Furthermore, the Government has in recent years extended 'temporary' permitted development rights to include rear extensions of up to 6 metres to attached dwellings.

The potential fallback position is therefore a significant consideration in the determination of the application in terms of its amenity impacts.

iii. Other Matters

Objections have been raised over the condition of the private access road to the dwelling and the impact of construction traffic. The condition of the access road is outside of the scope of this application and it is not considered reasonable or enforceable to place conditions restricting construction traffic for a relatively modest extension to a dwelling house.

The Council's Countryside Officer considers the development to have low potential to harm bat habitats and has recommended an informative be added to the decision notice regarding bat roosts.

There were no further responses to the public consultation.

While part of the garden lies within Flood Zone 2, the extent is approximately 12 metres from the rear elevation of the dwelling. Due to the minor nature of the development, a flood risk assessment is not required.

In conclusion, the planning application is considered to be acceptable when considered against national and local planning policies. Approval, subject to the following conditions is recommended to Members.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Unless otherwise approved in writing by the Local Planning Authority, the materials, colour and external finish to the external walls and the roof tiles of the development hereby permitted shall match that of the existing dwelling, currently known as 'Rowan Cottage'.

Reason:- To ensure a satisfactory external appearance and to comply with Policies SP16 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Site Location Plan validated by the Local Planning Authority 13/04/16

Drawing No 15-1114-4 validated by the Local Planning Authority 23/05/16

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE

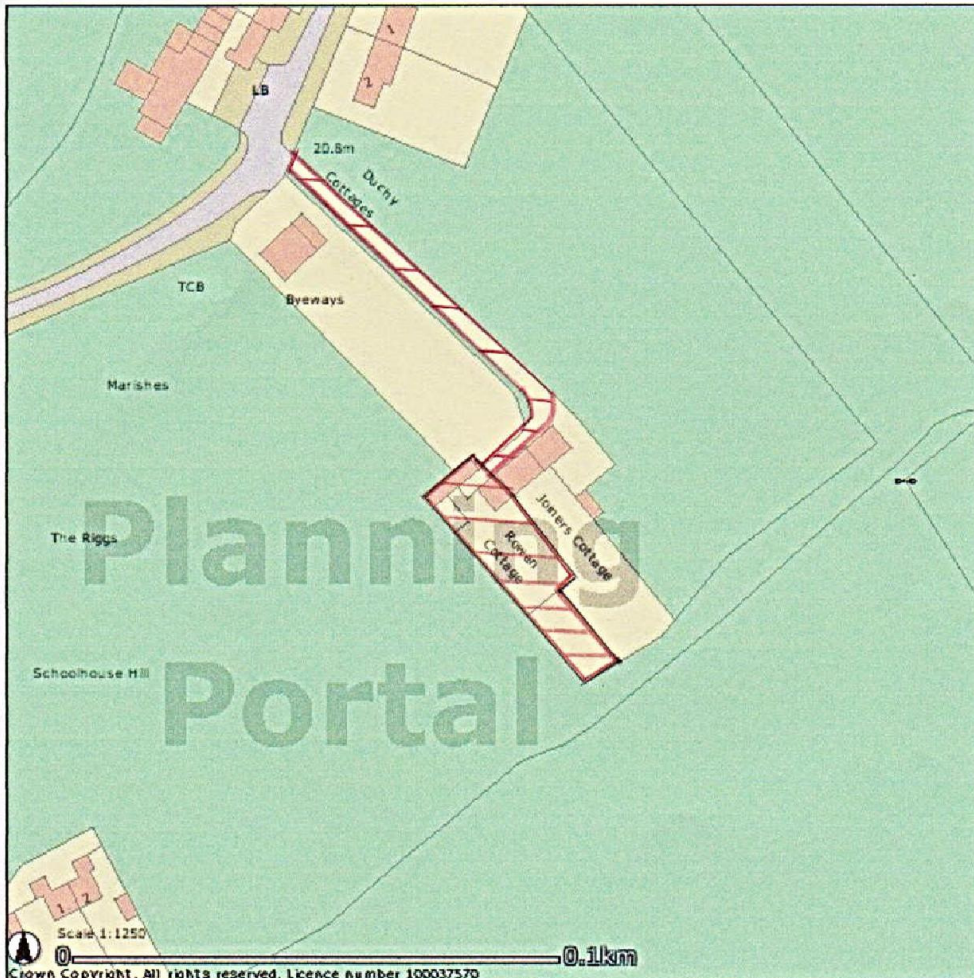
All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under section 41/42 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as Amended) and applied to whoever carried out the work. Contact details: Natural England, 4th Floor, Foss House, Kings Pool, 1 - 2 Peasholme Green, York, YO1 7PX Tel: 0300 060 1911

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties



Site Location Plan



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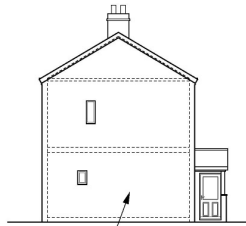
Rowan Cottage, Low Marishes.

DATE VALID
13/04/16

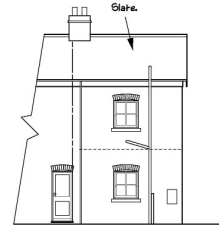
Check All Dimensions on Site.



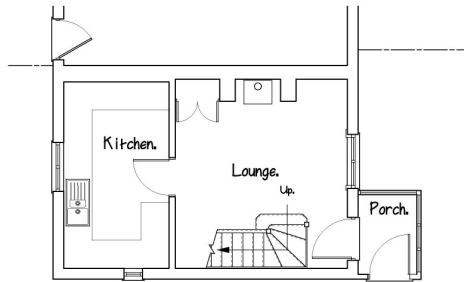
South East Elevation.



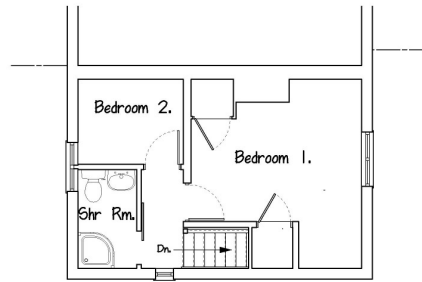
South West Elevation.



North West Elevation.



Ground Floor Layout.



1st Floor Layout.

THIS PLAN DRAWING IS BASED ON THE SURVEY AND MEASUREMENTS OF THE SURVEYOR. THE SURVEYOR HAS TAKEN ALL REASONABLE PRECAUTIONS TO ENSURE THE ACCURACY OF THE DRAWING. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER SHALL BE RESPONSIBLE FOR CHECKING ALL DIMENSIONS ON SITE.

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13/04/16

**MIKE PUNCHARD
PLAN DRAWING SERVICE**
9 THE AVENUE, NORTON, MALTON.
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TEL:- 01653 694276

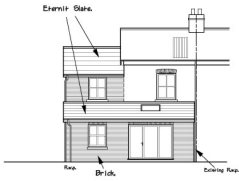
TITLE :- Survey of Dwelling. AT :- Rowan Cottage, Low Marishes, Malton.

SCALES :- 1:100, 1:50.

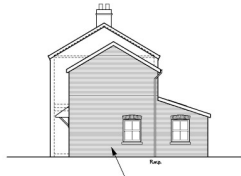
DATE :- Sept 2015.

DRAWING No. :- 15-1114-1.

Check All Dimensions on Site.



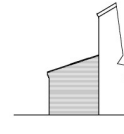
Proposed South East Elevation.



Proposed South West Elevation.

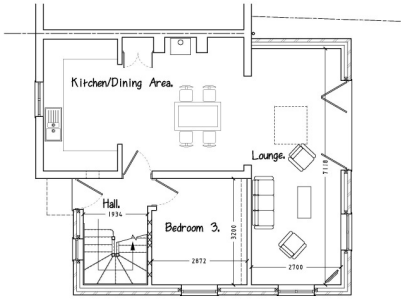


Proposed North West Elevation.

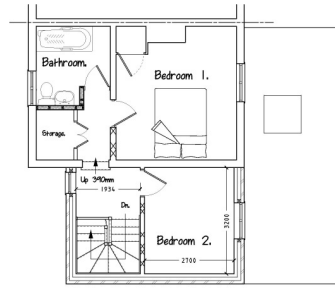


Proposed North East Elevation.

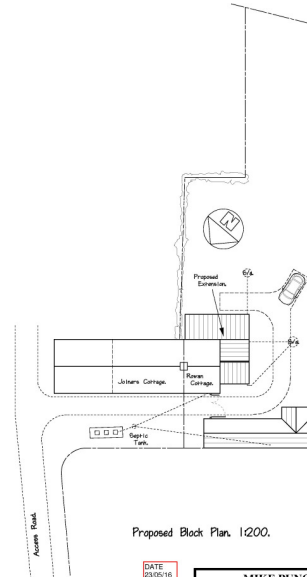
REVISED PLAN



Proposed Ground Floor Layout.



Proposed 1st Floor Layout.



Proposed Block Plan. 1:200.

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TITLE :- Proposed part Single & part Two Storey Gable End Extension. AT :- Rowan Cottage, Low Marishes, Malton. FOR :- Ian Wilson & Rachel Campion.
 SCALES :- 1:100, 1:50. DATE :- April 2016. DRAWING No. :- 15-1114-4.

MIKE PUNCHARD
 PLAN DRAWING SERVICE
 9 THE AVENUE, NORTON, MALTON,
 N. YORKS. YO17 9EF
 TEL:- 01653 694276

TG

OBJECT

Marrles Parish Meeting

RYEDALE DM Bellaker Grange
Marrles
Malton

16 MAY 2016

DEVELOPMENT OBJECT
MANAGEMENT Y017 6UG

Planning Application 16/00721/HOUSE

Rowan Cottage -
Low Marrles

Concerns have been expressed from Marrles Parish with regard to the Above application. It is felt that it still will have a negative impact on the neighbouring house, due to its close proximity to windows and we feel it will block out a lot of light. With this in mind we cannot support the application and must register an objection.

Yours

(DAVID BEAL)

(Chairman)

Item Number: 9
Application No: 16/00750/FUL
Parish: Gate Helmsley Parish Council
Appn. Type: Full Application
Applicant: Mr Jobie Tyers
Proposal: Erection of travellers' amenity building and retention of mobile home, caravan and shed
Location: Land At Croft Farm The Lane Gate Helmsley

Registration Date:
8/13 Wk Expiry Date: 28 June 2016
Overall Expiry Date: 19 June 2016
Case Officer: Tim Goodall **Ext:** 332

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	No objection
Caravan (Housing)	No objection in principle

Neighbour responses: Bill Wrigglesworth, Ellie Corbett, Leanne Chamberlain, M Weatherall, DM Dickinson, Trevor John Wright, Amanda Dodds, Laura Davis, L Baldwin, ME Chamberlain, J Ducker, P Ducker, D O'Hara, Ian Lightfoot, Daniel Slattery, Noel Bickerdike, Mr David Fletcher,

SITE:

The application site is an existing paddock located off the public highway north of Gate Helmsley. The paddock is roughly rectangular in shape, heading south east from the public highway. At the entrance from the public highway there is a close board fence and a entrance gate set back from the highway edge. There is an area of gravelled hardstanding with a mobile home and a caravan. There is also a timber shed.

The site is located within the York Green Belt outside of the development limit of Gate Helmsley which is approximately 300 metres to the south west. Upper Helmsley lies approximately 1 kilometre to the north.

PROPOSAL:

Planning permission is sought for the erection of a travellers' amenity building and the retention of a mobile home, a caravan and a shed.

The proposed amenity building would be 9.0 metres wide and 8.0 metres deep. The building would have a dual pitched roof and be 5.3 metres in height. Internally there would be a sitting area, dining area, kitchen, bathroom and a utility room.

The mobile home is 3.7 metres wide and 11.2 metres in length. The shed is approximately 2.0 metres high and of timber construction with a shallow dual pitched roof.

CONSULTATION RESPONSES:

There have been 15 letters of support for the application, 14 of which are a standard text with the supporters signature and address. Of the letters of support, 14 are from residents in Gate Helmsley and 1 from Upper Helmsley.

Further to the letters, one of the signatories wrote to advise they were unaware of the proposed travellers amenity building described above and would object to this element of the scheme.

There was 1 letter of objection from a resident concerned over the levels of noise created by a generator on site, over the travellers amenity building and that this mobile home could be the thin end of the wedge for more mobile homes on the site.

The Council's Environmental Health Officer has no objection in principle to the application as the site is tidy and well managed and as such would fulfil the requirements under the Caravans and Control of Development Act 1960, if planning permission is granted.

North Yorkshire County Council Highways Authority have no objection.

The objections to the planning application relate to material planning considerations. As the application is recommended for refusal, under the Council's scheme of officer delegation it is brought to Committee for Members to consider and determine.

HISTORY:

3/47/47/FA - Siting of static caravan for residential purposes at Croft Farm, Gate Helmsley - Approved 19.03.1990 with the following conditions:

1. *The static caravan hereby approved for residential purposes shall be removed and the land restored to its former condition at or before 6 March 1992 unless an extension of the period shall first have been approved by the Local Planning Authority.*

Reason: To enable the Local Planning Authority to retain control over the development.

2. *This permission shall operate only for the benefit of Mr & Mrs G Bickerdike and in respect of the premises as at present existing. The use hereby approved shall be terminated at such time as the above named shall cease to occupy the premises.*

Reason: The development for which personal permission is hereby granted would not be acceptable save in respect of use by the above named.

02/00848/FUL - Change of use of land and buildings to equestrian use, replacement parking area together with erection of building for storage of hay and straw - Refused 17.01.2003 for the following reasons:

1. *The proposed development would be contrary to Policy GB2, GB3 and AG11 of the Ryedale Local Plan and would, therefore, be contrary to the inclusion of this site in the York Green Belt which seeks to retain the essentially open character of this land.*
2. *The proposed development would be unduly conspicuous in the open landscape and would be detrimental to the visual amenity of the locality by the introduction of buildings and structures which would introduce alien features into this open landscape and would, therefore, be detrimental to the visual amenity of the locality.*

04/00038/FUL - Change of use of land and buildings to equestrian use, formation of parking area and installation of timber shiplap cladding to front of existing building (revised details to refusal 02/00848/FUL dated 16.01.2003) - Approved 26.04.2004

POLICY:

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Retained Policies of the revoked Yorkshire and Humber Regional Spatial Strategy (RSS)

Policy Y1 - York sub area policy
Policy YH9 - Green Belts

Ryedale Plan - Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP4 - Type and Mix of New Housing
Policy SP5 - Sites for Gypsies and Travellers and Travelling Showpeople
Policy SP9 - The Land-Based and Rural Economy
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

- i. Impact of the development on the openness of the York Green Belt
- ii. Gypsy and Travelling community policy considerations
- iii. Neighbour Amenity
- iv. Legal Duties and constraints
- v. Conclusion

i. Principle of Development

The application site lies within the York Green Belt. Policy SP1 states that proposals for development within the Green Belt will be assessed against national policy. Policies SP1 and SP2 of the Ryedale Plan - Local Plan Strategy state that new housing should normally be directed to the existing settlements within the district. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF goes on to say that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, any other harm, is clearly outweighed by other considerations. The construction of new buildings within the Green Belt should be regarded as inappropriate. Exceptions to this are:

- *Buildings for agriculture and forestry;*
- *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*

- *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

The proposed development is residential and therefore does not fall within the first two of the above criteria. In terms of the third and fourth criteria for exceptions, the buildings are not extensions and given the considerable passage of time that has elapsed since a caravan was previously on the site in the early 1990s they are not considered to be replacements. As the site lies without an existing village development limit and at no point adjoins the development limit of Gate Helmsley it can not constitute infill development.

Planning history shows there to have been a caravan on the site in the early 1990s under a personal planning permission that lasted for two years. The remainder of the site does have planning permission for use a paddock. The previous caravan is considered to have been a temporary structure with a relatively low impact. The siting of four buildings for residential and amenity purposes by their very nature are considered to have a greater impact on the openness of the York Green Belt than the existing grassed paddock that makes up the south east section of the site. The principle of this form of development within the Green Belt is therefore considered to conflict with national planning policy set out in the National Planning Policy Framework and Policies SP1 and SP2 of the Ryedale Plan - Local Plan Strategy subject to detailed consideration of planning policies relating to the gypsy and travelling community.

ii. Gypsy and Travelling community policy considerations

The agent for the applicant has confirmed that the applicant, his wife and three children (aged 14, 18 and 19 as of July 2016) are from the Gypsy and Travelling community. The applicant is not from the area, but his wife was born and raised within the Gypsy and Travelling community in Malton.

While it is considered that the principle of residential development and new buildings contrary to national and local planning policies would normally constitute inappropriate development within the Green Belt, National Planning Policy and Guidance and Policy SP5 (sites for Gypsies and Travellers and Travelling Showpeople) of the Ryedale Plan - Local Plan Strategy must be considered.

The NPPF should be read in conjunction with the Government's planning policy for traveller sites. Local planning authorities taking decisions on traveller sites should also have regard to the policies in the NPPF so far as relevant. In August 2015, the Department for Communities and Local Government published the government's '*Planning policy for traveller sites*'. The policy sets out the Government's aims with respect of travellers sites. These include:

- that local planning authorities should make their own assessment of need for the purposes of planning*
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites*
- to encourage local planning authorities to plan for sites over a reasonable timescale*
- that plan-making and decision-taking should protect Green Belt from inappropriate development*
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites*

- f. *that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective*
- g. *for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies*
- h. *to increase the number of travellers sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply*
- i. *to reduce tensions between settled and traveller communities in plan-making and planning decisions*
- j. *to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure*
- k. *for local planning authorities to have due regard to the protection of local amenity and local environment*

Policy E of the document states Traveller sites in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to outweigh clear harm to the Green Belt and any other harm so as to establish very special circumstances.

Policy H of the document states that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. Local planning authorities should consider the personal circumstances of the applicant. However, Policy H re-iterates that subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

The aforementioned considerations are dealt with in turn below.

Personal Circumstances and the Best Interests of the Child

The applicant's agent advised that they left their previous site elsewhere in Yorkshire due to a family feud at the site. They advised that the applicant has three children, which are living on the site. One of these children is under the age of 18. Prior to occupying the site, the agent understood that the applicant was travelling rather than at a fixed abode. A welfare assessment was carried out by the Council's Environmental Health Officer in July 2016. The assessment confirmed that the child was currently being home schooled, having previously been at a school in York. The assessing officer noted that there was a strong possibility of the applicant's father in law moving onto the site shortly. He is currently in hospital and may require care once he has left.

As of July 2016, a 14 year old child would have a minimum of 2 years full time education remaining. While the child is being home educated, the applicant has indicated this is due to the uncertainty surrounding the planning issues. At this point, consideration should be given to the various options available in terms of making a planning decision in this instance.

A grant of planning permission would allow the child to enter the school system for the remainder of their education. A temporary planning permission of two years would provide the same level of certainty. A further option however would be to refuse planning permission. Given the retrospective nature of part of the proposal, a refusal of planning permission necessitates a further consideration of whether it would be expedient to take enforcement action to rectify what would remain as a breach of planning control.

Members are advised that if the latter option is pursued, then unless the existing caravan and mobile home are removed the service of an enforcement notice would be necessary to remedy the breach of planning control. Given the applicant's youngest child is required to be in full time education until the age of 16, providing a degree of certainty until this time is considered to be in the child's best interests. As such, an enforcement notice providing an extended period for compliance could be considered to be appropriate in this eventuality.

Given the clear and demonstrable harm to the openness of the Green Belt by this development, the service of an enforcement notice rather than the granting of a temporary planning permission is considered to be a more effective route to ensure the breach of planning control can be dealt with whilst taking into account the best interests of the child. A refusal of planning permission and the service of an enforcement notice with an extended period for compliance would also acknowledge the personal circumstances of the applicant, allowing them time to secure a pitch (or house) elsewhere.

Unmet Need

Policy SP5 safeguards Ryedale's existing Gypsy and Traveller site at Tara Park near Malton. The 2007/08 Gypsy and Traveller Accommodation Assessment for the North Yorkshire Sub Region showed a requirement of 22 pitches. As of 2008 there were 13 pitches at Tara Park, resulting in a capacity shortfall of 9 pitches. The assessment also projected need from 2008-2015 resulting in new household formations of 4. However, it was also estimated that 8 pitch holders would move into housing between 2008 and 2015. Furthermore, planning permission was granted in 2013 (ref 12/01224/FUL) for an additional 7 pitches at Tara Park. This permission has now been implemented. In conclusion this has resulted in a current surplus of 2 pitches in the district as of 2015. This study expired in 2015 and the Council is now progressing an updated assessment.

While it is recognised the Assessment is now out of date, (it is only by one year) it does indicate a surplus of two pitches. While the Council is progressing an updated assessment, it is necessary to make a decision on the evidence available at this moment on time. On this basis, it is concluded that unmet need does not in this instance constitute a very special circumstance to allow the granting of planning permission for inappropriate development in the Green Belt.

iii. Neighbour Amenity

To accord with Policy SP20, new development will not have a material adverse impact on the amenity of present and future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses.

Concerns have been raised over the siting of a generator for power at the application site. While the site is in the open countryside, there is fixed boundary treatment in the form of hedges and fences in the directions of the nearest dwellings, providing for some level of sound mitigation. The nearest dwellings are approximately 300 metres from the site across fields. If planning permission was granted, conditions could be added requiring further details of the electricity generator and/or additional acoustic boundary treatment to further reduce any noise pollution. If the generator were to result in noise levels creating a statutory nuisance, the Council's Environmental Health Officers are able to take action through other legislation.

iv. Legal duties and constraints

HUMAN RIGHTS

By virtue of section 6 of the Human Rights Act 1998, the council is not allowed to act in a way that is incompatible with a right set out in the European Convention on Human Rights. The Authority must therefore show that it has properly considered the rights and freedoms of the owner, Mr Jobie Tyers and his family.

In exercise of their powers the Local Planning Authority needs to be mindful of these issues but if planning decisions are made following the correct procedure, taking all material considerations into account and in the public interest, then there is no conflict with the Human Rights Act.

Article 8 of the convention states that “*Everyone has the right to respect for his private and family life, his home and his correspondence*”, and continues: “*There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others*”.

Article 8 is a qualified right and an interference with it can be justified if this is necessary in a democratic society for the protection of the rights and freedoms of others and is proportionate. Upholding planning policy and protecting the environment are relevant to this. Members must reach their own view on the degree of hardship involved in a refusal of planning permission (as to which see the information presented in this report on the needs and personal circumstances of the occupants) and on whether the interference with the Article 8 rights involved with the refusal of planning permission would be necessary and proportionate

Article 1 of the first protocol to the convention states that every person is “*entitled to the peaceful enjoyment of his possessions*” (“Possessions” includes rights over land) and that “*No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law*”. But the rights of the state to “*enforce such laws as it deems necessary to control the use of property in accordance with the general interest*” are expressly preserved.

Article 14 states that the enjoyment of rights under the convention is to be secured “*without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*”.

Article 3.1 of the United Nations Convention on the Rights of the Child provides: “*In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration*”. As a matter of law, this means that in all decisions concerning children, their best interests must be of primary importance. That principle applies to planning decisions.

Where site residents are children, consideration of their convention rights must be in the context of article 3 of the United Nations Convention, which requires a child's best interests to be a primary consideration. However, the inherent primacy of those interests does not mean that they can never be outweighed by the cumulative effect of other considerations.

The Local Planning Authority has taken into consideration the Human Rights Act and balanced this with consideration of National Planning Policy with respect to development in the Green Belt. The planning decision has taken into account the personal circumstances of the applicant and his family, including the best interests of the child.

DISABILITY AND RACE

Direct discrimination occurs if a person is treated less favourably than another person would be because of a protected characteristic under section 13 of the Equality Act 2010 . Indirect discrimination occurs where a provision, criterion or practice that is applied to all puts persons who share a protected characteristic at a particular disadvantage when compared with persons who do not share it and the provision, criterion or practice cannot be shown to be a proportionate means of achieving a legitimate aim under section 19 the Equality Act 2010 .

“Protected characteristics” include race.

The site residents are travellers . They should be regarded as being a racial group and sharing the protected characteristic of belonging to that group.

In considering the merits of this planning application, the committee will need to consider whether refusal of the planning application would place persons who are travellers at a particular disadvantage compared with persons who are not travellers. If such a particular disadvantage would arise, the committee will need to consider whether choosing that option would be a proportionate means of achieving a legitimate aim. If the option would not be a proportionate means of achieving a legitimate aim, it would not be lawful to choose that option.

PUBLIC SECTOR EQUALITY DUTY

In exercising its functions, including its functions as a local planning authority, the council must have due regard to the need to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;

Advance equality of opportunity between people who share a protected characteristic and those who do not; and

Foster good relations between people who share a protected characteristic and those who do not (section 149(1) of the Equality Act 2010)

Having due regard for enhancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics and taking steps to meet the needs of people from protected groups where these are different from the needs of other people. (section 149(3) of the Equality Act 2010)

Fostering good relations means tackling prejudice and promoting understanding between people from different groups. (section 149(5) of the Equality Act 2010) Complying with the duty may involve treating some people more favourably than others. (section 149(6) of the Equality Act 2010)

If the Council fails to have “due regard” to the matters identified above, it would fail to comply with its statutory duty. In applying the policies and other considerations that are material to this application, the committee will need to consider whether applying any of those policies or other considerations has a disproportionate and negative impact on a racial group. If there is such an impact, the committee will need to decide whether that impact can be justified by, for example, the adverse impact of the development.

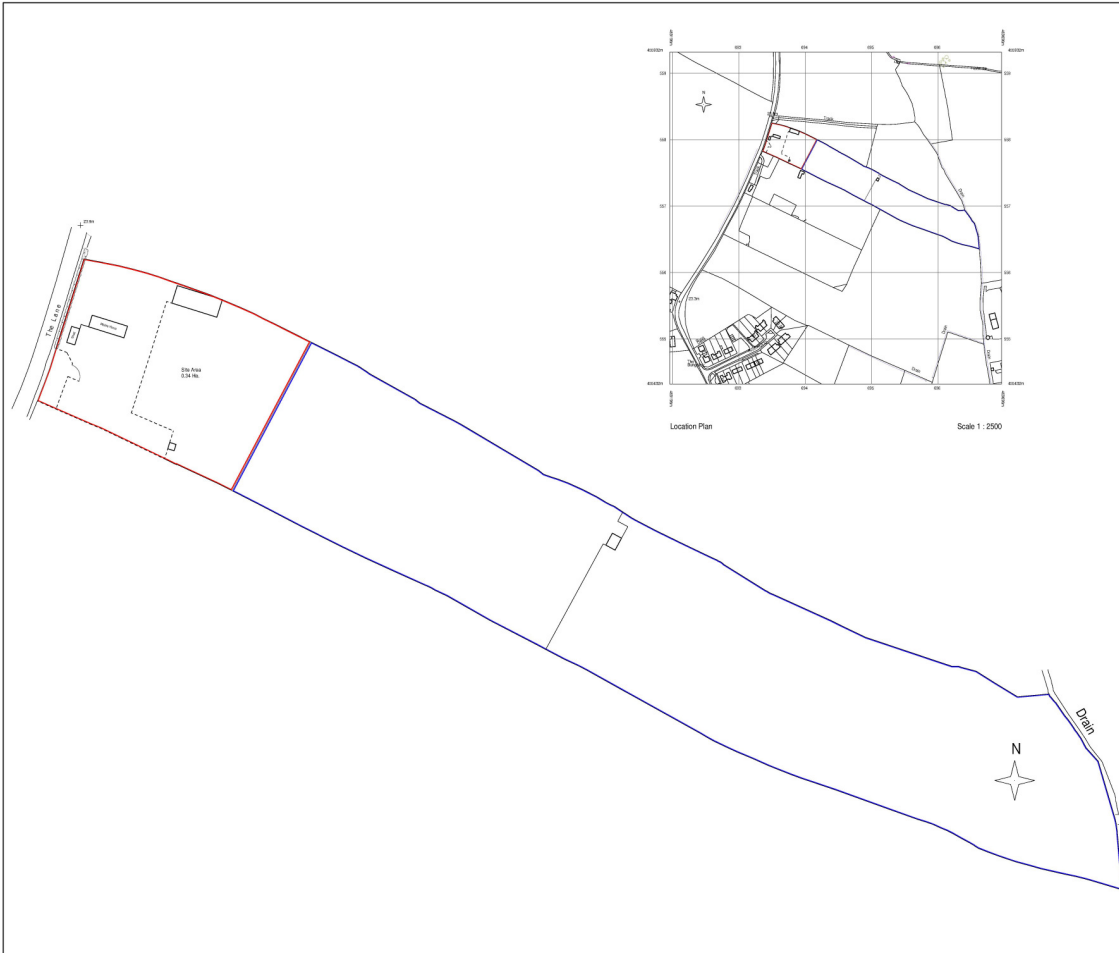
v. Conclusion

In conclusion, this planning application is considered to conflict with both national and local planning policy, taking into account material considerations and is recommended to Members for refusal for the following reason.

RECOMMENDATION: Refusal

- 1 The retention of the mobile home, caravan and shed and the proposed travellers' amenity building constitute inappropriate development resulting in an unacceptable impact on the openness of the York Green Belt, contrary to the NPPF, CLG's Planning Policy for Travellers Sites (2015) and Policy SP1 of the Ryedale Plan - Local Plan Strategy and there are considered to be no other material policy considerations or very special circumstances of sufficient weight to warrant a departure from adopted policy.
- 2 Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013



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Do not scale off this drawing. Use figured dimensions only.
The Contractor is to verify all dimensions on site before commencing any work or preparing any other drawings.
Works and materials to be in strict accordance with Current Building Regulations, British Standards and all relevant Codes of Practice.

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DATE VALID:
05.05.2016

Rev: Issue: Date:

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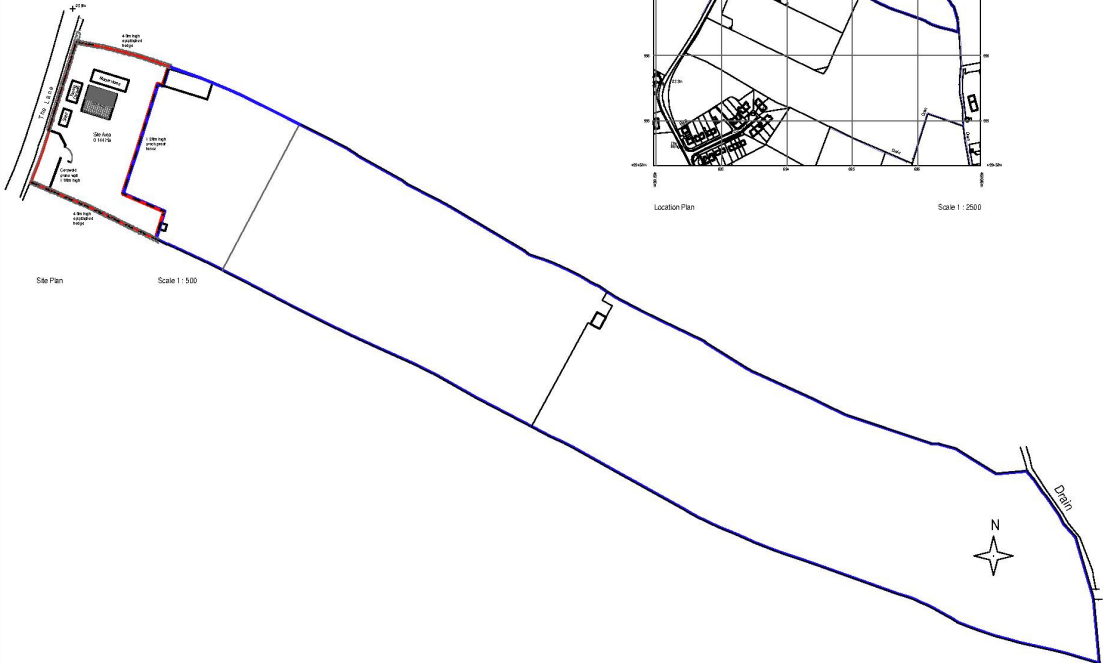
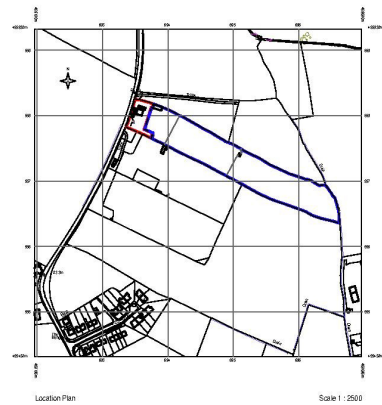
Cook Farm, The Lane
Gile Holmholby
North Yorkshire

Existing Site and Location

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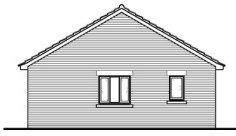
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Derek H. C. Cook Architectural & Surveying Services 9 Wils. Ave., Huddersley A 19 9JN West Yorkshire HD12 1JF																																																																																																				
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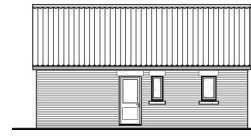
West Elevation



South Elevation

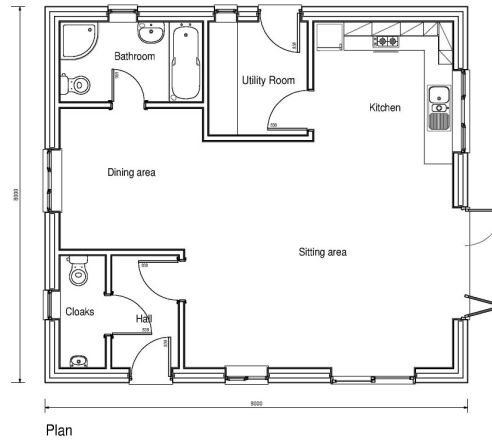


East Elevation



North Elevation

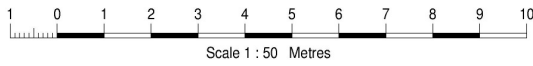
Design:
 City parties
 Wills, Pugh,
 Wilson &
 Coates
 Architect:
 York Survey
 Harris & Co.
 Survey:
 D.S. Ogden
 Sigs. Pritchard
 Henry Woods



Plan

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Project	Greengrass Farm, York Road Barmby Moor, York YO42 4HU		David M G Cross Architectural & Surveying Services 9 Elm Park, Ashby, Kington upon Hull East Yorkshire HU10 7EP Telephone: 0754 99 88 243 E-Mail: davidmccross@hotmail.com Winner of the East Riding of Yorkshire Council Chairman's Bath Heritage Award 2014	Title Proposed Amenity Building	Date 08.03.16	Scale 1 : 50, 1 : 100 @ A2	Drawn dmcc	Check dmcc	Date 21.03.16
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DATE VALID: 03.05.2016

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Project

**Croft Farm, The Lane
 Gate Helmsley
 North Yorkshire**

Rev	Item	Init	Date
Title			
Mobile Home Plan			
Date	29.04.16	Scales	1 : 50 @ A4
Drawn by	dmgc	Job no.	Drg no.
Checked		A1606	04

SUPPORTING PLANNING APPLICATION STATEMENT

FOR

THE ERECTION OF AN AMENITY BLOCK

AND THE

RETENTION OF A

MOBILE HOME, CARAVAN

AND

SHED

AT

CROFT FARM

THE LANE

GATE HELMSLEY

YORK

FOR

Mr J TYERS

1.0 Introduction

- 1.1 This planning statement has been prepared to accompany and support a detailed Planning Application submitted to Ryedale District Council by Mr J Tyers.
- 1.2 The Planning Application seeks the creation of a permanent Travellers site to serve the applicant and his family.
- 1.3 Whilst Mr Tyers is not from the area his wife was born and raised within the Gypsy and Travelling community in Malton.

2.0 The Proposal

- 2.1 For planning policy purposes Mr Tyers his wife and three children aged 19, 17 and 14 are by definition Travellers and Gypsy's within the meaning of the Acts.
- 2.2 Mr Tyers is seeking planning permission for the retention of a mobile home, a touring caravan, a timber shed and the erection of an amenity block all as shown on the accompanying plans.
- 2.3 The plans that accompany this proposal indicate the position of the amenity block, shed, mobile home and caravan, with a detailed plan showing the layout of the amenity block for use by Mr Tyers his wife and children.

3.0 Site Location and Description

- 3.1 The land is located in The Lane in the parish of Gate Helmsley, North Yorkshire and is known as Croft Farm. It lies some 380 meters to the North of the residential road known as Risewood.
- 3.2 The site is relatively level and until Mr Tyers acquired the land in 2015 was overgrown and an eyesore to the local community.
- 3.3 The site is divided into two main areas being the land used for the grazing of horses and the area used by this travelling family as their base.

4.0 History

- 4.1 The site has been the subject of an approval for the siting of a static caravan for residential purposes in the past and there is mains water installed and a septic tank both of which were installed in connection with the residential caravan in 1990. The consent granted at that time was both personal and time limited.
- 4.2 The adjoining land to the South has had a caravan on site for more than 10 years.

- 4.3 The site has an existing planning consent for equestrian use including formation of a parking area and installation of a timber shiplap clad stable building.

5.0 Planning Policy

- 5.1 Planning law requires that applications should be determined in accordance with the development plan and that such applications be assessed and determined in accordance with the presumption in favour of sustainable development and the application of the policies in the National Planning Policy Framework and the Planning Policy for Travellers Sites issued by the Department For Communities and Local Government in August 2015.
- 5.2 The Ryedale Plan states in section 4.55 that the council recognises that Gypsy and Traveller households do have specific accommodation requirements and that it is important that these are recognised and addressed. The section then goes on to state that this approach will help to avoid Gypsy and Traveller households being made to live in houses due to a lack of alternative accommodation provision that meets their requirements.
- 5.3 Section 4.56 of the Local Plan Strategy makes it quite clear that the Gypsy and Traveller accommodation assessment undertaken in 2008 identified a need for 22 Gypsy and Traveller pitches. Currently 20 pitches are provided at Tara Park on the outskirts of Malton leaving a requirement for a further two pitches. The section goes on to state that the accommodation requirements of Gypsies and Travellers will be kept under review and that the Council will aim to ensure that any new site is provided in a location that suits the living and working patterns of the Gypsy and traveller community.
- 5.4 SP5 of the Ryedale Plan states that identification of additional land to address the shortfall will be considered as and when an application is submitted.

6.0 Conclusion

- 6.1 This site has been used for residential purposes in the past, and the applicant has cleaned and tidied up the field and brought it back into beneficial use. The applicant has the support of the local community and will provide letters of this support at the appropriate time.
- 6.2 The application conforms to both the NPPF and the CLG Planning Policy for Traveller sites so far as it is relevant and therefore request that planning permission should be granted for the development, which in addition reduces the shortfall in travellers sites within the District of Ryedale.

Gate & Upper Helmsley Parish Council

The Byre
Field House Farm
Thornton-le-Clay
YORK
North Yorkshire
YO60 7QA

Tel: 01904 468773
Email: fiona@thebyre.me.uk

Date: 27 May 2016

Ryedale District Council
Ryedale House
Malton
North Yorkshire

Dear Sir/Madam

Objections to Planning Application 16/00750/FUL
Erection of travellers amenity building and retention of mobile home and shed
Land at Croft Farm, Gate Helmsley

Gate and Upper Helmsley Parish Council does not support planning application 16/00750/FUL on the grounds that the property is in green belt land and therefore does not meet the National Planning Policy Framework Guidance on Protecting Green Belt Land, nor does it comply with the Department for Communities and Local Government Planning Policy for Gypsy Sites – Policy E Traveller Sites in Green Belt.

NPPF 9. Protecting Green Belt land

79 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence

83 Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.

Gate & Upper Helmsley Parish Council

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86 If it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

87 As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Policy E: Traveller sites in Green Belt

16. Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

17. Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.

Gate & Upper Helmsley Parish Council

The Byre
Field House Farm
Thornton-le-Clay
YORK
North Yorkshire
YO60 7QA

Tel: 01904 468773
Email: fiona@thebyre.me.uk

Ryedale Plan- Local Plan Strategy SP5 Sites for Gypsies and Travellers and Travelling Show people

- Safe vehicular access to the public highway can be provided

Yours faithfully

Fiona Hill
Parish Clerk

Agenda Item 11

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

PERIOD 24 JUNE - 22 JULY 2016

1.

Application No: 15/00727/FUL **Decision: Approval**
Parish: Great & Little Barugh Parish Council
Applicant: Mr G Wagstaff
Location: Forge Cottages Barugh Lane Great Barugh Malton North Yorkshire
Proposal: Erection of 2 no. three bedroom semi-detached dwellings with detached single garages and formation of vehicular accesses

2.

Application No: 16/00992/FUL **Decision: Approval**
Parish: Cropton Parish Council
Applicant: Mr & Mrs A Wilford
Location: South Field View Back Lane Cropton Pickering North Yorkshire YO18 8HL
Proposal: Change of use and alteration of outbuilding to form a one bedroom holiday cottage to include replacement of existing attached garage by a single storey extension

3.

Application No: 16/00118/FUL **Decision: Approval**
Parish: Nawton Parish Council
Applicant: Mr And Mrs S Wood
Location: Rose And Crown And Manor Farm Main Road Nawton Helmsley YO62 7RD
Proposal: Demolition of existing agricultural buildings and erection of 3no. four bedroom dwellings with parking and amenity areas, formation of a shared vehicular access with the Public House, closing off of the existing vehicular access to the west of Manor Farmhouse, a shared driveway to serve the three new dwellings and Manor Farmhouse, formalisation of the Public House car parking arrangements, amended beer garden arrangement and formalisation of the domestic curtilage, amenity area and parking for Manor Farmhouse

4.

Application No: 16/00119/LBC **Decision: Approval**
Parish: Nawton Parish Council
Applicant: Mr And Mrs Wood
Location: Rose And Crown And Manor Farm Main Road Nawton Helmsley YO62 7RD
Proposal: Demolition of existing agricultural buildings to allow the erection of 3no. four bedroom dwellings with parking and amenity areas.

5.

Application No: 16/00208/FUL **Decision: Approval**
Parish: Thornton-le-Clay Parish Council
Applicant: Mr & Mrs T Walsh
Location: The Granary Thornton Field House Thomton Le Clay Malton YO60 7QA
Proposal: Change of use of first floor of detached garage to form a 1no. bedroom self-contained residential annexe (retrospective)

6.
Application No: 16/00235/HOUSE **Decision: Refusal**
Parish: Welburn (Malton) Parish Council
Applicant: Mr Mark Knapp
Location: Pear Tree House Main Street Welburn Malton YO60 7DZ
Proposal: Erection of detached single garage
-
7.
Application No: 16/00284/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Geo Cooper & Sons Ltd (Mr Craig Cooper)
Location: Becksides Bridge Street Pickering North Yorkshire YO18 8DT
Proposal: Installation of 2no. pairs of timber internal doors immediately behind the existing entrance doors on the east and north elevations
-
8.
Application No: 16/00356/73A **Decision: Approval**
Parish: Howsham Parish Meeting
Applicant: Mr & Mrs F Wardell
Location: Woodhouse Farm Westow Malton YO60 7LL
Proposal: Removal of Condition 03 of approval 10/01058/FUL dated 08.11.2010 to allow the holiday cottage to be used as a agricultural workers dwelling
-
9.
Application No: 16/00381/FUL **Decision: Approval**
Parish: Leavening Parish Council
Applicant: Mr Sean McDermott
Location: Madeira York Road Leavening Malton North Yorkshire YO17 9SN
Proposal: Erection of an agricultural building for the purposes of lambing.
-
10.
Application No: 16/00412/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: Commercial Development Projects & Fitzwilliam Trust Corp
Location: Land At Edenhouse Road Old Malton Malton North Yorkshire
Proposal: Formation of roundabout access and internal access road to serve development at Edenhouse Road (revised details to approval 14/00426/MOUTE dated 24.03.2015)
-
11.
Application No: 16/00774/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Piggies In The Middle (Mrs Alex Humble)
Location: 3 Hallgarth Pickering North Yorkshire YO18 7AW
Proposal: Change of use and alteration of shop (Use Class A1) to a delicatessen/hot food takeaway (Mixed A1/A5 Uses) to include installation of external extractor flue
-
12.
Application No: 16/00814/GPAGB **Decision: Prior Approval Granted**
Parish: Pockley Parish Council
Applicant: Nawton Tower Estate
Location: Building At Low Farm Main Street Pockley Helmsley
Proposal: Change of use of agricultural buildings to a four bedroom dwelling (Use Class C3)
-

13.
Application No: 16/00827/FUL **Decision: Approval**
Parish: Gate Helmsley Parish Council
Applicant: Rosti Automotive Stamford Bridge (Mrs Sally Barker)
Location: Rosti Automotive Stamford Bridge York Road Stamford Bridge North Yorkshire YO18 8LX
Proposal: Change of Use of part of warehouse building (Use Class B8) to manufacturing use (Use class B2) as an expansion of the existing plastic injection moulding capacity

14.
Application No: 16/00843/HOUSE **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: The Hovingham Estate
Location: Hall Green Cottage Church Street Hovingham YO62 4JY
Proposal: Installation of bi-folding doors to replace existing garage door to east elevation, installation of 4no. replacement windows and replacement door to east elevation, installation of chimney, erection of close-boarded timber fence and formation of additional car parking space.

15.
Application No: 16/00844/LBC **Decision: Approval**
Parish: Hovingham Parish Council
Applicant: The Hovingham Estate
Location: Hall Green Cottage Church Street Hovingham YO62 4JY
Proposal: External alterations to include installation of bi-folding doors to replace existing garage door to east elevation, installation of 4no. replacement windows and replacement door to east elevation and installation of chimney together with internal alterations to include installation of partition walls to form additional domestic living space and additional first floor bedroom and installation of fireplace.

16.
Application No: 16/00849/FUL **Decision: Approval**
Parish: Huttons Ambo Parish Council
Applicant: Mr D & Mrs A Myers
Location: Gledhow Cottage & Oaklea Water Lane Low Hutton Malton YO60 7HG
Proposal: Conversion and alteration of 2no. two-bedroom semi-detached dwellings to form a single four-bedroom dwelling to include erection of single storey garden room extension to rear elevation to replace existing single storey extension

17.
Application No: 16/00855/GPCOU **Decision: Prior Approval Refused**
Parish: Sheriff Hutton Parish Council
Applicant: Mr David Swales
Location: Castle House 14 Dale Road Sheriff Hutton Malton YO60 6RZ
Proposal: Change of use of office building (Use Class B1(a)) to 7no. apartments (Use Class C3)

18.
Application No: 16/00859/HOUSE **Decision: Partial Approve/Refuse**
Parish: Kirkbymoorside Town Council
Applicant: MoMo:Architecture (Greg Morgan)
Location: Oak Lea Village Street Keldholme Kirkbymoorside YO62 6ND
Proposal: Erection of single storey rear extension and detached double garage to include demolition of existing detached garage and outbuilding

19.
Application No: 16/00864/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: R Yates & Sons Ltd
Location: R Yates And Son Ltd Railway Street Malton North Yorkshire YO17 7NS
Proposal: Internal alterations to include installation of staircase to provide access to upper floor and partition wall to form fire lobby

20.
Application No: 16/00865/LBC **Decision: Approval**
Parish: Aislaby, Middleton & Wreton Parish
Applicant: Mr Ian And Mrs Angela Hardman
Location: Lane End Cottage Main Street Aislaby Pickering North Yorkshire YO18 8PE
Proposal: External alterations to include installation of 6no. replacement double-glazed timber Yorkshire sliding sash windows to front elevation.

21.
Application No: 16/00897/HOUSE **Decision: Approval**
Parish: Thornton-le-Clay Parish Council
Applicant: Mr Andrew Norton
Location: Beacontrees High Street Thornton Le Clay YO60 7TE
Proposal: Alterations and extensions to include raising of roof height, conversion of existing attached garage to include first floor extension to form additional domestic accommodation and erection of porch to front elevation

22.
Application No: 16/00906/HOUSE **Decision: Approval**
Parish: Scampston Parish Council
Applicant: Mr Richard Neasham
Location: 2 The Poplars Poplars Lane West Knapton Malton YO17 6RW
Proposal: Erection of 1.8m vertically-boarded timber fence and metal gate with vertical timber cladding to front highway boundary and erection of vertically boarded timber fence (2.4m maximum height) on western boundary (part-retrospective)

23.
Application No: 16/00914/HOUSE **Decision: Approval**
Parish: Scackleton Parish Council
Applicant: Mr David Martin
Location: High View Scackleton Lane Scackleton YO62 4NB
Proposal: Erection of two storey extension to rear elevation and single storey extension to side elevation to link main dwelling with existing detached garage following demolition of existing turret to rear elevation

24.
Application No: 16/00915/HOUSE **Decision: Approval**
Parish: Sand Hutton Parish Council
Applicant: Mr John Daish
Location: Laurel House Main Street Sand Hutton Malton YO41 1LB
Proposal: Erection of single storey extension to side elevation

- 25.**
Application No: 16/00917/FUL **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Swinton Play Area Committee (Mrs G Cook)
Location: Swinton Bowling Club High Street Swinton Malton North Yorkshire YO17 6SL
Proposal: Erection of 20m long zip line with 3.7m high timber supports
-
- 26.**
Application No: 16/00918/CLOPUD **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr P Compson
Location: 9 & 9A St Nicholas Street Norton Malton North Yorkshire YO17 9AQ
Proposal: Certificate of Lawfulness for a proposed use or development in respect of the conversion of two existing flats to a single dwelling
-
- 27.**
Application No: 16/00919/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr A Crockett
Location: St Aubyns 1 Horsemarket Road Malton North Yorkshire YO17 7NB
Proposal: Erection of close-boarded timber fence and gate and raising of height of brick pillars to form 2m-high means of enclosure to front highway boundary of property.
-
- 28.**
Application No: 16/00920/FUL **Decision: Approval**
Parish: Norton Town Council
Applicant: Cornerstone Telecommunications Infrastructure Ltd & Telefoni
Location: Telecommunication Mast Off Eastfield Road Norton Malton North Yorkshire
Proposal: Erection of an 18m high latticetower to include 3no. antennas, 3no. RRUs and 2no. transmission dishes together with installation of 3no. ground based equipment cabinets all within a compound formed from a 1.8m high palisade fence
-
- 29.**
Application No: 16/00923/73A **Decision: Approval**
Parish: Thornton-le-Clay Parish Council
Applicant: Mr Philip Coe
Location: Land South Of Thomton House Low Street Thornton Le Clay
Proposal: Variation of Condition 02 of approval 14/01096/FUL dated 23.01.2015 to add a "mortgagee in possession" clause to allow the removal of the Local Needs Occupancy restriction should the building ever be repossessed by a mortgage lender so that the property can be sold on the open market unencumbered by the condition.
-
- 30.**
Application No: 16/00928/REM **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr Robert Harrison
Location: Land At OS Field 4700 Lowfield Lane Swinton Malton North Yorkshire
Proposal: Erection of a three-bedroom agricultural workers dwelling with detached double garage (outline approval 13/00679/OUT dated 01.11.2013 refers)
-

- 31.**
Application No: 16/00931/LBC **Decision: Approval**
Parish: Thornton-le-Dale Parish Council
Applicant: Mr & Mrs Hayne
Location: Summer Tree Farm Thornton Lane High Marishes Malton YO17 6UH
Proposal: External alterations to include erection of a sun room extension to rear elevation to replace existing conservatory
-
- 32.**
Application No: 16/00939/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Cuppacoff Ltd
Location: 15 Market Place Pickering North Yorkshire YO18 7AE
Proposal: External and internal alterations to include display of 3no. externally illuminated signs to north and west elevations, replacement window to west elevation with alterations to internal layout to include removal of staircase and replacement staircase to form a coffee shop (revised details to approval 15/01235/LBC dated 23.12.2015)
-
- 33.**
Application No: 16/00940/73A **Decision: Approval**
Parish: Pickering Town Council
Applicant: Cuppacoff Ltd
Location: 15 Market Place Pickering North Yorkshire YO18 7AE
Proposal: Variation of Condition 05 of approval 15/01042/FUL dated 23.12.2015 to replace drawing nos. A500015/02 Rev C North and West Elevations and A500015/01 Rev D Floor Plans by drawing nos. A500015/02 Rev D North and West Elevations and A500015/01 Rev G Floor Plans
-
- 34.**
Application No: 16/00945/HOUSE **Decision: Refusal**
Parish: Barton-le-Street Parish Meeting
Applicant: Dr Philip Moore
Location: Rectory Cottage Main Street Barton Le Street Malton YO17 6PN
Proposal: Erection of detached garden room following demolition of existing shed
-
- 35.**
Application No: 16/00947/FUL **Decision: Approval**
Parish: Huttons Ambo Parish Council
Applicant: Harrison Developments (Malton) LLP (Mr Sean Harrison)
Location: Land At Malton Enterprise Park York Road Malton North Yorkshire
Proposal: Erection of a block of 7no. business starter units for industrial use (Use Class B2) with associated parking, servicing and hard standing
-
- 36.**
Application No: 16/00951/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr John Wreglesworth
Location: 4 Mill Lane Avenue Sheriff Hutton YO60 6SJ
Proposal: Erection of part two storey/part single storey extension to side elevation following demolition of attached outbuilding
-

37.
Application No: 16/00954/GPOTH **Decision: Prior Approval Granted**
Parish: Norton Town Council
Applicant: Mrs Katrina Robertson
Location: 37 Commercial Street Norton Malton North Yorkshire YO17 9HX
Proposal: Change of Use from a shop (Use Class A1) to a coffee shop/cafe (Use Class A3)

38.
Application No: 16/00955/HOUSE **Decision: Approval**
Parish: Ampleforth Parish Council
Applicant: Mr Dean Grant
Location: The Granary Main Street Ampleforth Helmsley YO62 4DA
Proposal: Erection of porch to west elevation

39.
Application No: 16/00957/HOUSE **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr P Townsend & Mrs S Scholefield
Location: Swinbrow Malton Road Swinton Malton North Yorkshire YO17 6SQ
Proposal: Erection of porch to front elevation

40.
Application No: 16/00958/FUL **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Ryedale Garages Ltd
Location: 14-18 Dove Way Kirkby Mills Industrial Estate Kirkbymoorside York YO62 6QR
Proposal: Change of use of part of storage building (Use Class B8) to an MOT testing station (Use Class B2)

41.
Application No: 16/00963/73A **Decision: Refusal**
Parish: Flaxton Parish Council
Applicant: Mrs Claire Docwra
Location: The Cottage At Blacksmiths Arms Main Street Flaxton Malton YO60 7RJ
Proposal: Removal of Condition 06 of approval 05/00653/FUL dated 01.08.2005 to allow the property to be sold or let off separately from the Public House known as the Blacksmiths Arms, Flaxton

42.
Application No: 16/00967/FUL **Decision: Refusal**
Parish: Pickering Town Council
Applicant: Mrs Coutts
Location: Building To Rear Of 16 Keepersgate Pickering North Yorkshire
Proposal: Erection of a 2no. bedroom dwelling with formation of 2no. associated parking spaces following demolition of existing outbuilding

43.
Application No: 16/00975/HOUSE **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr And Mrs Harrop
Location: Greystones The Green Sheriff Hutton Malton YO60 6SB
Proposal: Installation of replacement UPVC casement windows to all existing windows to include patio doors to side elevation together with formation of new doors to front and rear elevations.

44.
Application No: 16/00982/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr George And Mrs Sarah Jennings
Location: Highfield House Gillamoor Road Kirkbymoorside YO62 6EL
Proposal: Erection of two storey extension to side and rear elevations and porch to front elevation following demolition of existing side extension, conservatory, garage and porch.

45.
Application No: 16/00985/HOUSE **Decision: Approval**
Parish: Malton Town Council
Applicant: Howard Holmes
Location: 1A Victoria Road Malton North Yorkshire YO17 7JJ
Proposal: Erection of a replacement detached shed

46.
Application No: 16/00987/HOUSE **Decision: Approval**
Parish: Kirkbymoorside Town Council
Applicant: Mr & Mrs Brill
Location: High Hall Cottage 1 Castlegate Kirkbymoorside YO62 6BH
Proposal: Conversion and alteration of attached garage to form additional domestic accommodation to include replacement of garage door by 2no. windows and 1no. personal door and installation of 2no. roof lights

47.
Application No: 16/01008/LBC **Decision: Approval**
Parish: Henderskelfe Parish Meeting
Applicant: Mr & Mrs Victoria And Nicholas Howard
Location: Castle Howard Estate Castle Howard York North Yorkshire YO60 7BY
Proposal: External alterations to include installation of 2no. wrought iron gates to replace existing plywood access panels to east and west side elevations of main entrance steps

48.
Application No: 16/01010/HOUSE **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr S Goodfellow
Location: Barker Stakes Farm Ings Lane Pickering North Yorkshire YO18 8EE
Proposal: Erection of a detached garage

49.
Application No: 16/01011/REM **Decision: Approval**
Parish: Sheriff Hutton Parish Council
Applicant: Mr & Mrs S A And L H Wadsworth
Location: Land At Woodlands Farm Sheriff Hutton
Proposal: Erection of a four bedroom agricultural workers dwelling with parking and amenity areas (outline approval 13/00494/OUT dated 17.06.2013 refers)

Appeal Decisions

Inquiry held on 7-10 June 2016

Site visit made on 8 June 2016

by P. W. Clark MA MRTPI MCMi

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 July 2016

Appeal B Ref: APP/Y2736/W/15/3136237

(Site B) Land to the west of Langton Road, Norton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments against the decision of Ryedale District Council.
 - The application Ref 15/00098/MOUT, dated 30 January 2015, was refused by notice dated 22 July 2015.
 - The development proposed is up to 85 residential dwellings including access.
-

Appeal A Ref: APP/Y2736/W/15/3136233

(Site A) Land to the west of Langton Road, Norton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments against the decision of Ryedale District Council.
 - The application Ref 15/00099/MOUT, dated 30 January 2015, was refused by notice dated 22 July 2015.
 - The development proposed is up to 8 residential dwellings including access.
-

Decisions

1. Appeal B is allowed and planning permission is granted for up to 85 residential dwellings including access at (Site B) Land to the west of Langton Road, Norton in accordance with the terms of the application, Ref 15/00098/MOUT, dated 30 January 2015, subject to the sixteen conditions attached as Appendix B.
2. Appeal A is allowed and planning permission is granted for up to 8 residential dwellings including access at (Site A) Land to the west of Langton Road, Norton in accordance with the terms of the application, Ref 15/00099/MOUT, dated 30 January 2015, subject to the fifteen conditions attached as Appendix A.

Procedural matters

3. The Inquiry sat for four days but was held open until 17 June 2016 for closing submissions to be made in writing and for Unilateral Undertakings to be signed.
4. The address of the site is given as Norton. Norton and Malton are twin towns either side of the River Derwent in North Yorkshire. In many ways they function as a single entity and are treated as such in planning policy. Although they are variously termed Malton, Norton or Malton/Norton, these names all refer to the one conurbation or parts thereof.

5. Both applications are made in outline. In both cases, details of vehicular access to but not within the sites are submitted for approval now. Further details of pedestrian and cycle accesses to and all access within the sites and details of appearance, landscaping, layout and scale are reserved for later consideration in the event of either appeal being allowed.
6. The applications were made in the terms set out above. They are supported by a mass of documentation including a Development Framework Plan. In May 2015, during the Council's consideration of the applications, the originally submitted Framework Plan was substituted by a revised version showing reduced developable areas. A subsequent e-mail from the appellant asserts that the Development Framework Plan is intended to form part of the planning application. Nevertheless, the matters it depicts are clearly those which are shown on the application form to be reserved matters and the e-mail itself confirms (correctly) that the provisions of the Framework Plan would need to be secured by condition if thought necessary for the applications to be approved.
7. Notwithstanding the fact that the Council subsequently reconsulted on the application in terms which referenced numbers reduced from 8 to 6 for appeal A and from 85 to 79 for appeal B, there is no information to show that the terms of the application itself were so changed. In any event, as an outline proposal with matters of scale and layout reserved, any limitation of numbers, in the event of the developments being approved, would have to be imposed by condition. The screening opinions issued in March 2015 for the two sites were in terms of 10 dwellings for site A and 90 for site B.

Main Issues

8. There are four main issues common to both appeals. The first two and the last of these derive from reasons for refusal or from grounds of appeal common to both appeals. The third derives from a reason for refusal unique to appeal B but the issue equally applies to appeal A. They are the effects of the proposals on;
 - The significance of heritage assets, both designated and undesignated
 - The character and appearance of the neighbourhood, the setting of Norton and on protected trees
 - The need to travel and the use of sustainable modes of transport and
 - The supply of housing in general and affordable housing in particular.
9. Amongst other matters, third parties had concerns about flooding and about highway safety, particularly for horses.

Reasons

Heritage

10. Two heritage assets are in question. Both are outside but near the site. Confusingly, both have at one time or another been called Sutton Grange. I will refer to them as the barn and the house. The barn is a designated heritage asset, listed Grade II in 1986 as Sutton Farm Stone Barn. The house (currently called Sutton Grange) is neither listed nor included on any Local List

- but both parties are agreed and I concur that it should be regarded as a non-designated heritage asset.
11. Both main parties are agreed and I concur that neither appeal proposal would have any direct effect on either asset. In both cases, the questions are whether there are any effects of the proposals on the assets' settings and, if so, whether any such effects affect their significance.
 12. The way the barn is experienced today is largely from private property and at close range. It is approached from Langton Road by a private drive on appeal site A through protected woodland which hides it from view until, at the western end of the woodland (and of site A), the upper floor of its extensive north-eastern façade becomes visible over the roofs of garages (converted from sheds) which form a triangular courtyard to its east. The entry to the courtyard is at its north-western extremity at which point there is a full view of both the short north-western and long north-eastern elevations of the barn. It is from this point that some but not all of the significance of the building can be understood.
 13. The drive continues past the north-western elevation, descending a bank and turning through approximately 180°. From this point the architecturally more interesting south-western elevation sited high on its terrace can be experienced, somewhat obscured by two new dwellings positioned in another courtyard at a lower level at which the drive ends but still dominating the scene. It is from this point that a more complete understanding of the significance of the building is obtained. It is, as the Council's Conservation Officer reports in her observations on the application, the large scale of the building and the status which its size and the elevated position of this frontage would have given to the purpose (which is unknown¹) for which it was built.
 14. The impressive impact of this elevation can still be appreciated more fully from a point further to the south west where a track from Bazley's Lane crosses the line of the former driveway to the house and passes the former principal entrance to the grounds around the house. None of these ways of experiencing the setting of the barn and of understanding its significance would be affected by either of the appeal proposals.
 15. From a public place, the upper parts of the barn can be seen over the rooftops and between the newly erected bungalows in Heron Close, to its north. This experience of its setting would not be affected by either of the appeal proposals.
 16. The eastern corner of the barn can be glimpsed at a distance from breaks in the hedgerow along Langton Road, across both sites A and B but the views appear to be happenstance rather than designed and simply provide an awareness of a large building some way off. It is not possible, in these views, to derive much information about the nature of the building or its purpose, still less to divine whether it had any functional connection with the land across which it can be glimpsed. In truth, these views do not tell one much, if anything, about its significance. Their loss would cause little or no harm to the

¹ The listing description as a barn simply reflects the use to which it was put at the time of its listing. It is currently used as five residences. Evidence given at the Inquiry shows that fairly early in its life it was used, or partially used, as a gentleman's residence. My observations on site suggest that it may have been built as a stables and coach house with residential accommodation, an hypothesis accepted as plausible by both parties' experts. At the time it was built, Malton racecourse was flourishing. Even today, the breeding of racehorses is an important economic activity around Malton.

- significance of the heritage asset and so I do not require their retention by condition. The dominance of the barn can be retained by a condition (14) limiting the height of buildings on site A.
17. The house, Sutton Grange, is also visible in these views and so they aid an understanding that the two buildings once had an association. The list entry for the barn specifically states that it does not form part of an Asset Grouping so I am not convinced that an appreciation of this relationship from this viewpoint (as opposed to the viewpoint south-west of the barn described earlier) is necessary to an understanding of either building's significance but I recognise that it is a concern of the Council. These views from Langton Road would be interrupted by development on either of the appeal sites but, in substitution, the development of appeal site A with an area of open space on the land formerly associated with the occupancy of the barn would allow public appreciation of both heritage assets from much closer viewpoints from which any significance deriving from the barn's proximity to the house in this view could be much better appreciated. The provision of this open space can be required by condition (13) attached to appeal A.
 18. Both parties agree that the proposed developments would result in less than substantial harm to the listed building. I agree and conclude that any harm to the significance of the listed building by any effects on its setting by either appeal would be so minimal as to be effectively non-existent. Any such harmful effects as exist would be outweighed by the public benefits of enabling closer appreciation of the asset from within the site of appeal A, which could be secured by condition (13) on appeal A. It (appeal A) would therefore comply with that part of The Ryedale Plan Local Plan Strategy policy SP12 which provides that proposals which would result in less substantial² harm to a designated asset will only be agreed where the public benefit of the proposal is considered to outweigh the harm and extent of harm to the asset. I now turn to consider the house.
 19. At some stage in its life the house has been reoriented so that its entrance is no longer on its north-western elevation but on its south-eastern side. The consequence is that, in contrast to the barn which is designed to be largely hidden by a wooded drive and to reveal its most spectacular impact when arriving at the house from its former (now abandoned) north-western driveway, the house is approached today by a straight drive running direct from Langton Road separated from open fields only by a post and rail fence. The approach today has no relationship with the barn.
 20. Despite the low-lying position of the house, its ornate bargeboards, prominent gables and chimneys mean that it is now experienced as a "cottage ornée" forming a picturesque element in an open landscape backed by woodland seen in views from Langton Road. These views and the grand effect of its approach along a drive through open fields would largely be lost through the development of appeal site B and so would considerably reduce the contribution which the open setting of the house makes to its modern day significance as a prestigious country residence.
 21. As an undesignated asset, its significance is less than statutory. Nevertheless, the appeal proposals would compromise the heritage elements of that part of The Ryedale Plan Local Plan Strategy policy SP12 which seek to ensure the

² The Strategy does not use the term "less than substantial" which is found in the NPPF

sensitive expansion, growth and land use change in and around the District's Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas (defined on the adopted Proposals Map) as well as surrounding historic landscape character and setting of individual settlements. This is both a heritage consideration and a landscape and townscape consideration to which I turn shortly.

22. The loss of longer distance views of the house would not in any way affect the appreciation of its heritage significance as a much-altered country house, which can only be understood by a forensic examination of its fabric at close quarters, principally from within the grounds of the house itself. Furthermore, as with the development of appeal A, the development of appeal B would allow longer distance public views to be replaced by a closer public appreciation of the heritage asset. The scale of any harm to this aspect of its significance is therefore minimal.
23. Both parties agree that the appeal proposals will result in less than substantial harm to the significance of the house. I agree, to the extent stated earlier. I conclude that although the proposal compromises that part of The Ryedale Plan – Local Plan Strategy policy SP12 which seeks to protect other features of local historic value and interest throughout Ryedale, having regard to the scale of any harm and the significance of the heritage asset, the matter would not be of great consequence.

Character and appearance

24. The appeal sites do not sit within any nationally or locally protected or designated landscape although the southern tip of site B abuts an Area of High Landscape Value. They do not lie within any Visually Important Undeveloped Area as defined on the Proposals Map, nor is there any published suggestion that they be designated as such within the emerging Local Plan Sites Document. Although all landscape is valued to a degree, there is no information to show that they are a particularly valued landscape within the compass of paragraph 109 of the National Planning Policy Framework (the NPPF). They are outside the defined settlement limits of Malton/Norton and so are formally regarded as countryside. It is a core planning principle of the NPPF that planning should recognise the intrinsic character and beauty of the countryside but these sites do not require any special consideration in terms of their landscape character or appearance.
25. Various analyses have been made of the character of the landscape in which they sit. They lie on the boundary between three of the one hundred and fifty-nine National Character Areas defined by Natural England. The appellant's expert³ places the sites within National Character Area 29 "Howardian Hills". The Council's expert⁴ places it within National Character Area 27 "Yorkshire Wolds". National Character Area 26 "Vale of Pickering" is close by. The boundaries of National Character Areas are broadly defined rather than following detailed local features and at their edges are likely to exhibit transitional characteristics.
26. Key characteristics of both the Howardian Hills NCA and the Yorkshire Wolds NCA include large estates and designed parklands with large country houses.

³ Paragraph 3.7 of Mr Holliday's evidence

⁴ Section 3.2.1 of AECOM's Landscape and Visual Appraisal June 2015

In response to a specific question, both parties' experts confirmed that the majority of these appeal sites did not represent designed parklands, the only element of which, in relation to the two heritage assets, was restricted to the wooded drive (protected by a Tree Preservation Order) leading to the listed barn and the garden areas immediately around the house and barn (including the western part of appeal site A). Both could be protected by conditions (13) and (15) of appeal A.

27. In other respects, although the sites exhibit features typical of the local National Character Areas, both parties agreed that their development would not lead to the loss of such features and would have a negligible effect on the character areas overall. I note that both the Yorkshire Wolds and Howardian Hills character areas feature sparse settlement but the existence of small market towns is recognised on the fringes of the Yorkshire Wolds and Malton is specifically mentioned in the description of the Howardian Hills and particular building materials are noted as characteristic of both areas, so built form as such is not inimical to their character. The more distant views of the site, illustrated in both parties' analyses, show that the built up area of Malton/Norton clearly figures in the landscape. The effect of developing the two sites would be to increase its extent by a marginal amount. The site itself hardly signifies in these more distant views so can barely be said to provide a setting for Norton.
28. At a regional level, the North Yorkshire County Council's North Yorkshire and York Landscape Characterisation Project identifies a Limestone Ridge character area encompassing the sites. This too notes several country houses with associated designed parkland settings as one of its key characteristics, along with others which would not be compromised by development of the sites. It too notes Malton as the only major settlement within the area. Consequently, the same inferences result from the regional characterisation as from the national one, which is that development of these sites would have a negligible impact.
29. At a district level, the Landscapes of Northern Ryedale, published on behalf of the District Council in 1999 identifies an area of Wooded Vale Farmland abutting the northern edge of the Yorkshire Wolds but notes that in common with the Open Vale Farmland found further east, it has few prominent landscape features. Again, this does not lead to a conclusion that there would be any great landscape significance resulting from the development of the appeal sites.
30. Both parties have conducted either a Landscape and Visual Appraisal or a Landscape and Visual Impact Appraisal for the site following the precepts of the Institute of Landscape Architects. For the most part they largely agree on their conclusions namely that both physical effects and visual effects are largely confined to the site itself, resulting from the transformational change from undeveloped land to developed land. As became apparent during cross-examination, the difference between them largely results from the value which the Council has placed on the site, high relative to that of other land within a Zone of Theoretical Visibility around the site in contrast to the appellant's more absolute, less relative concept of its lesser value in terms of landscape and visual impact.
31. The sites lie to the south-west of Langton Road. Site A is relatively level between the road to the east and the heritage assets to the west. Site B

- slopes down from the road towards the Mill Beck stream. A substantial hedge largely hides the sites from public view although there are openings through which the Wolds can be seen across the site by looking south and a picturesque view of Sutton Grange nestling against a backdrop of trees can be obtained by looking north. The carriageway of Langton Road is elevated and so more continuous views across the site can be seen by passers-by on horseback or, more generally, when the hedgerow is trimmed.
32. There is no doubt that these are pleasant, even pretty, scenes. Their loss would be regretted. But the development of the sites would have no effect on the backdrop of trees which are off site. The retention of trees on site (along the driveway to the listed barn on site A or along the Mill Beck on site B) could be required by conditions (15) for appeal A and (16) for appeal B and, provided open space adjacent to the stream is retained (as it would be, by condition (15) of appeal B), development of site B would give public access to the same views at closer quarters, so I am not convinced that the transformational effects of developing the fields themselves in the way proposed would be harmful once development is completed.
 33. Langton Road is a long straight approach to the heart of Norton. The protected trees on site A are presently at the southern extremity of continuous development along the western side of the road. But the alignment of the road is undeviating at that point so they are no more than an incident along its course. There are other trees along the road which have an equal effect. It is an exaggeration to say that they provide a visual stop because they are not paired by an equal clump on the opposite side of the road. Only when the road bends at the junction with The Ridings, further to the north, is there a visual stop with trees at both sides of the road.
 34. Moreover, both sides of the road are experienced in common. On the east side, built development extends along Langton Road for about one quarter of the way opposite site B. There is a constructed gateway feature by the roadside at the point where a speed limit takes effect which provides a clearer indication to road users of Norton's extent.
 35. As noted earlier, there is no clear view of Norton in which the sites present a foreground which provides a setting to the town. The straight alignment of Langton Road means that the sites are peripheral to the experience of arriving into Norton. The hedgerows which presently constrain peripheral views could be retained by condition. Consequently, the development of the sites would have little or no effect on the setting of the town. I am confirmed in this view by the advice of the Landscapes of Northern Ryedale, published on the Council's behalf in 1999; "From a landscape perspective, urban expansion would best be accommodated on the flat, low lying land to the south and east of the towns."
 36. I conclude that the proposals would have no adverse effects on protected trees or the setting of Norton. There would be some very limited harm from appeal B to the character and appearance of this part of Langton Road resulting from the loss of some pleasant and attractive scenes and, as noted earlier, from the reduced contribution which the open setting of the house makes to its significance but elements of the historic character would remain and there would also be benefits resulting from the provision of public open space with its own pleasant views.

37. As noted earlier, appeal B would marginally compromise the heritage elements of that part of The Ryedale Plan Local Plan Strategy policy SP12 which seeks to ensure the sensitive expansion, growth and land use change in and around the District's Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas (defined on the adopted Proposals Map) as well as surrounding historic landscape character and setting of individual settlements. For that same reason and to that very limited degree also, the development of site B would compromise that part of policy SP13 which requires the quality, character and value of Ryedale's diverse landscapes to be protected and enhanced and which require new development proposals to contribute to the protection and enhancement of distinctive elements of landscape character. For that same reason and to that same very limited degree, appeal B would also compromise those parts of policy SP20 which deal with Character, requiring new development to respect the character and context of the immediate locality and the wider landscape and townscape character.

The need to travel

38. In terms of daily life, Malton/Norton is recognised by The Ryedale Plan – Local Plan Strategy as Ryedale's Principal Town offering the greatest concentration of employment so it should at least be possible in theory for residents to find work locally. My visit to the site made me aware that there are local employment opportunities in horse breeding and training establishments and in Norton College near to the site but there is no suggestion other than that the majority of employment opportunities in Malton/Norton would be in the centre of town or on industrial estates on the outskirts which are described in the Special Qualities Study of Ryedale's Market Towns included within the appellant's Core Documents. The centre of the twin towns is between 1.5 and 2km from the sites. Industrial estates on the outskirts would be further afield. It is unlikely that these distances would be favoured for walking and so there would be a degree of need to travel for work from the proposed developments.
39. Commuting to York or elsewhere may be preferred as a matter of choice but the bus stop from which a service to York is provided is agreed to be 1.3km from the access to site A and 1.4 km from the access to site B. The railway station offers potential for commuting further afield but is 1.8km from site B. These are all greater distances than those preferred for walking and so their use would, in themselves, generate a need for transport.
40. Likewise, although Malton/Norton offers the greatest concentration of retail and leisure facilities in the District, the nearest local shopping facilities listed in the Statement of Common Ground are stated to be more than 1km from the site entrance to appeal B. This is greater than the preferred walking distances set out in Manual for Streets or the recommendations of the Institute of Highways and Transportation, so it is likely that these daily requirements would give rise to a need to travel.
41. Norton College is close at hand but a Primary School is more than a kilometre distant. There is a proposal to provide a much closer outpost of this school for years 5 and 6 but even if this proposal reaches fruition, it is clear that for many primary schoolchildren there would be a need to travel.

42. Less than daily needs, such as a GP surgery and a Library are provided for in Malton/Norton but are about 1.4 and 1.8km distant so would generally give rise to a need to travel.
43. Norton is noted in the evidence to be less well provided with green infrastructure than Malton but the proposals would be provided with open space on site together with an equipped play area. Not only would this reduce the need to travel for leisure facilities from the development but it would also contribute to the wider needs of Norton and so must be counted as a benefit of the development.
44. It is apparent therefore that for all other than secondary education and recreation facilities on local open space, development of the appeal sites would not comply with the second of the six bullet points providing site selection criteria in The Ryedale Plan - Local Plan Strategy policy SP1. This looks for a site's ability to support access on foot to centrally located shops, services and facilities.
45. The NPPF in paragraph 34 and in the eleventh of the twelve Core Principles set out in paragraph 17 is less prescriptive. Where the need to travel will be minimised is part of its advice on the location of developments which generate significant movement but where the use of sustainable transport modes can be maximised is also a factor in its advice on where such development should be located. These are defined as including walking, cycling, low and ultra low emission vehicles, car sharing and public transport.
46. Although the distances to the facilities considered above would discourage walking, they are not so great as to deter cyclists. Moreover, at least as far as central Norton, the route is relatively flat and not so heavily trafficked as to be a deterrent to cycle use. Beyond Norton, into Malton would require the shared use of more heavily trafficked roads without specific cycle facilities, a stiff hill and passage through an Air Quality Management Area (AQMA), so is less conducive to cycling but I am satisfied that most daily needs could be met without travelling so far.
47. Despite the AQMA there is no information to show that Malton/Norton, or the development proposal, offers any particular facilities for low or ultra-low emission vehicles but suggested conditions (11) in both appeals would require the provision of electric vehicle charging points. It is suggested that a travel plan be required by condition (13) of appeal B and there is funding provision for its implementation within the s106 obligation. Through that, car sharing could be promoted to maximise the use of that sustainable transport mode.
48. A regular hourly bus service is provided on Langton Road past the sites, nine times a day, Mondays to Saturdays but it does not run after late afternoon so normal hours of commuting to more distant employment are not feasible by public transport. It is not well publicised; it is a hail and ride service so no bus stops indicate its existence or provide information about timetables. No information is provided about the route followed but timing points include Field View on Langton Road opposite the sites and various points in Malton/Norton town centres.

49. In the material supporting the outline applications, repeated assertions are made⁵ to the effect that the development would make improvements to the bus services along Langton Road. In the event, the Unilateral Undertakings only provide £5,000 as a contribution towards the provision of and/or improvements to two bus stops in Norton. This does little to reduce the need to travel from the development or to maximise the use of sustainable transport modes by residents of the site, so I take no account of it. Nevertheless, bearing in mind the NPPF's exhortations to take account of the nature and location of the site and of policies to support a prosperous economy in rural areas, it has to be recognised that, even without improvement, the bus service is reasonably good for a rural market town and offers the sites a further sustainable mode of transport.
50. I conclude that the developments would generate a need to travel which could be met only in small part by walking. In consequence, the proposals would conflict with one of the provisions of The Ryedale Plan - Local Plan Strategy policy SP1 but, with the conditions suggested, it would be possible to maximise the use of other sustainable transport modes in the way the NPPF recommends.

Housing

51. Policy SP1 of The Ryedale Plan – Local Plan Strategy provides that Ryedale's future development requirements will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of a hierarchy of settlements in which Malton and Norton is defined as the primary focus of growth. The Spatial Strategy Summary defines the role of Malton and Norton as the focus for the majority of new development and growth including new housing (amongst other matters). The implementation of policy SP1 is to be through the Local Plan Sites Document and Neighbourhood Development Plans for the location of development and for the planned supply of new development sites and through the Development Management Process for development proposals (i.e the consideration of planning applications or, in these cases, planning appeals).
52. Policy SP2 provides that the sources of new housing that will contribute to the supply of new homes across the District includes Housing Land Allocations in and adjacent to the built up area of Malton and Norton. It stipulates that 50% of the District's level of provision should be located at Malton and Norton. Its implementation section records the actions or mechanisms to implement different parts of the policy. For the allocation and release of sites two mechanisms are listed; one is the Local Plan Sites Document, the other is the Development Management Process (i.e the consideration of these appeals). In advance of the Local Plan Sites Document the release of sites will be influenced by the five-year deliverable supply position.
53. The Local Plan Sites Document has yet to be produced and is at an early stage of preparation. The development plan is not completely silent on the matter of locations for housing, indicating in general terms the acceptability of locations in and adjacent to the built up area of Malton and Norton and setting a target of 100 dwellings per annum for that general location. But, other than the

⁵ Transport Assessment paragraphs 3.1.5 and 4.8.3, Planning Statement paragraphs 2.2.3, 4.4.24, 5.2.11, 8.4.3 and Appendix 2 and Diana Richardson's evidence paragraph 9.3.25

- advice to be influenced by the five-year deliverable supply position it is silent on the precise allocation of sites.
54. The final bullet point of NPPF paragraph 14 advises that where the development plan is silent, the presumption in favour of sustainable development means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole or, if specific policies in the Framework indicate development should be restricted. It follows that, whether the decision on these appeals is taken in accordance with the development plan or whether it is taken in accordance with the other material considerations of the NPPF, a balancing exercise is necessary in which one factor is consideration of the Council's five-year deliverable housing supply.
55. The Council's housing requirement is set in The Ryedale Plan – Local Plan Strategy as at least 3,000 (net) new homes over the period 2012-2027 of which 50% should be in or adjacent to Malton/Norton. This plan is recent (5 September 2013) and was found sound in the light of the NPPF (March 2012). The Inspector's report (paragraphs 37 - 49) make it clear that reliance was not placed solely on evidence prepared for the now cancelled Yorkshire and Humberside Regional Spatial Strategy but that an objective assessment of housing need was carried out in late 2011 – early 2012, using 2004, 2008 and 2010 – based population and housing projections along with an employment-led growth scenario and an analysis of affordable housing need. None of this is inconsistent with the outcomes of the "Hunston", "Solihull", "Satnam" and "Kings Lynn" cases to which I was referred. The plan has not been successfully challenged.
56. The final requirement figure is mid-way between those required using the 2008 and 2010 – based population and household projections and would also more than meet the (then) most recent 2011-based interim household projections. The Inspector who examined the Plan observed that it would be unwise to base the plan on a single set of household projections. He concluded by saying that a total level of 3,000 dwellings or 200 dwellings per year represents a realistic, balanced, deliverable, justified and soundly based figure which would meet the objectively assessed housing needs of the district over the plan period.
57. Paragraph 4.32 of the reasoned justification to the plan recognises that housing needs and requirements can change over time and so commits to reviewing housing needs in five years. The Council has commenced this review by publishing a Strategic Housing Market Assessment (SHMA) in April 2016 using 2012-based household projections. This concludes (paragraph 9.35) that an appropriate Objectively Assessed Need (OAN) figure for Ryedale excluding the North York Moors National Park would be 204 dwellings per annum. This does not suggest that the requirement set in the plan is out of date.
58. The appellant contests the findings of this SHMA based on three components of the SHMA; economic-led needs, market signals and affordable housing needs. The criticisms of the economic forecasts used as an input to the SHMA are three fold; (i) the economic forecasts may be conservative (ii) Planning Practice Guidance (PPG) advises that likely changes in job numbers should be based on past trends and/or economic forecasts as appropriate, whereas the SHMA uses economic forecasts only and (iii) the economic forecasts use their own estimates of local economic activity rates rather than national ones which may be lower.

59. It is not for me in this s78 appeal to do a forensic examination of economic forecasts which are but one strand of a SHMA which is but one input to the adoption of a housing requirement but I observe that of these three criticisms, (i) is purely speculative, (ii) is criticism of a choice of one method which the PPG endorses as an alternative and (iii) prays in aid an appeal decision at Redcar which drew on extensive evidence specific to the applicability of that issue to that location. I note that the appellant's expert witness concludes that "on its own merits, the above [comments] on economic-led needs would not lead me to conclude that OAN must be greater than that concluded within emerging SHMA". I have no reason to disagree.
60. The appellant's criticisms of the SHMA's response to market signals is largely concerned with its adequacy for dealing with affordability, which overlaps with the third concern. The suggestion of a 20% uplift rather than the 10% uplift used in the SHMA is based on the recommendations of the Local Plans Expert Group which has yet to be endorsed by government and, as the appellant's expert himself says, can be given little weight.
61. The appellant's third concern turns around the advice in the NPPF, amplified in the PPG, for meeting the full objectively assessed needs for affordable housing. There are two components to the criticism. One concerns a disagreement over data sources for relets of affordable rented housing, both parties using different but equally reliable sources which give different results, though these are relatively marginal. The other, more major component is the SHMA's redefinition of what constitutes affordability from a threshold of 25% of household income to a threshold of 30%.
62. Whilst sharing the appellant's distaste, expressed so eloquently by the quotation from my colleague Mr Thickett in his April 2014 report on the examination into the East Hampshire Plan, for redefining the threshold of affordability in such a way that plays down identified demand, adjusting for this factor merely takes us back towards the situation examined by the Local Plan Inspector in 2013. Then, as paragraph 55 of his report points out, the SHMAs estimated a 5-year net shortfall of affordable housing of between 250-270 affordable units per year. His paragraph 43 pointed out that the estimated annual need for affordable housing exceeded the proposed annual level of housing provision and would be even higher if it were to rely solely on delivering such housing as a proportion of market housing. He reported (in paragraphs 44 and 57) that to meet the full need for affordable housing through the provision of market housing would mean setting unrealistic and undeliverable overall targets of more than 550 dwellings per year.
63. He commented, in a passage which refutes the implications for the plan of the appellant's contention that the SHMA does not set out an estimation of deliverability, that the plan, as submitted and amended, aims to deliver as much affordable housing as it can, with no maximum provision, and there may be other ways to provide such housing. He concluded in paragraphs 44 and 62 that the NPPF does not expect plans to meet the highest level of evidenced need but requires a more balanced objective assessment and that policy SP3 will help to positively address the high levels of need for affordable housing and would provide an effective, justified and soundly based framework for delivering affordable housing over the period of the plan, consistent with national policy.

64. In other words, the appellant's observations on the need to increase housing requirements in order to increase the supply of affordable housing do not raise new issues not taken into account in the adopted plan. However much moral high ground is taken concerning the redefinition of the threshold of affordability, no current guidance contradicts the approach taken by the SHMA 2016. The appellant's arguments do not therefore invalidate the conclusions of the SHMA 2016, nor do they undermine the continued validity of the housing requirement as set out in the adopted Ryedale Plan – Local Plan Strategy.
65. From this it follows that, as agreed in the Statement of Common Ground, Ryedale can demonstrate a five-year deliverable supply of housing land. There is no information to show that the position in relation to the subsidiary requirement for Malton and Norton (50% of the total) is any different. Reverting back to the point of the argument considered earlier, it follows that, in accordance with policy SP2, this is a factor which should influence consideration of release of sites in advance of the Local Plan Sites Document.
66. In relation to affordable housing, the position is agreed. Annual affordable housing requirements have not been delivered in full in Ryedale in each year of the plan period to date. The 2016 SHMA's redefinition of the threshold for affordable housing does not and cannot rewrite the repeated complaints in the Local Plan Strategy to the effect that the lack of affordable housing is the main imbalance in Ryedale's housing market, that Ryedale has an acute need for affordable housing and that increasing the supply of new affordable homes is a priority.
67. Policy SP3 seeks the provision of 35% of new dwellings as affordable housing on site for developments of more than 5 dwellings or on sites of 0.2ha or more. The appellant's uncontroverted evidence shows that over a ten-year period, Ryedale achieved 25%, increasing to 31% in a more recent five-year period but in the three years of the Local Plan Strategy's existence has delivered 60, 47 and 67 affordable dwellings against a target of 79 each year. It follows that the offer of 35% in the submitted Unilateral Undertakings, although no more than complying with policy, should be regarded as a considerable benefit.
68. The separation of the proposals into two separate planning applications with two separate Unilateral Undertakings would bring site A (if limited to ten dwellings or less) within the scope of government policy, set out in the Written Ministerial Statement of 28 November 2014 and elaborated in Guidance, that affordable housing contributions should not be sought on sites of ten units or less. The reason for this policy is to avoid a disproportionate burden on small-scale developers.
69. But the present appellant is not a small-scale developer. Whatever the reason for making two separate applications (understood to be related to the slightly different ownership arrangements of the two sites), or the future intentions of the appellant to subdivide the sites into smaller parcels for sale to other builders, there is more that unites these two appeals than separates them. The applications were made on the same day and determined on the same day. Four of the five reasons for refusal are common to both sites and even the appellant expressed surprise that the fifth was not equally applied. Twenty of their supporting documents and the supporting Framework Plan are common to both applications.

70. Only the Heritage Statements and the Socio-Economic Sustainability Statements are unique to each application. The two appeals have been conjoined in this Inquiry and the expert witness evidence is common to both applications. Indeed, when specifically asked, why two applications were made, the appellant's planning witness commented that she could not explain it and would not have recommended it (the explanation noted above was given by the appellant's advocate). For all these reasons, I do not disapply policy SP3 from site A and I do take account of the affordable housing provisions of the Unilateral Undertaking for site A as a benefit of the scheme.
71. In relation to the effect of the proposals on housing in general and affordable housing in particular, I conclude that the proposals would deliver the equivalent of about one year's housing supply for Malton and Norton (50% of that for Ryedale) but that the Council can demonstrate a deliverable five-year housing supply without these sites. So, the benefits of the proposals to housing supply in general are limited to boosting the supply to a level which is more than required.
72. On the other hand, in the light of the Council's track record, the proposals' full compliance with policy on the supply of affordable housing would be beneficial. Some might say that if all it is doing is complying with policy, it should not be counted as a benefit but the policy is designed to produce a benefit, not ward off a harm and so, in my view, compliance with policy is beneficial and full compliance as here, when others have only achieved partial compliance, would be a considerable benefit.
73. Although the sites lie outside the development limits for Malton and Norton defined on the Proposals Map, policy SP2 allows for housing land allocations in and adjacent to the built up area to be released through the Development Management Process in advance of the Local Plan Sites Document, so the release of these sites through these appeals would not be inconsistent with the policy. As already noted, the proposals would comply with policy SP3 for the supply of affordable housing.

Other matters

74. There is evidence that the sites have a high water table and experience standing water at certain times. However, there is technical evidence, not controverted, to the effect that this can be dealt with by means of a retention pond to hold surface water run-off on the lowest part of the land sealed against the effects of rising ground water.
75. Local horse breeders and trainers have concerns, supported with evidence, of the dangers which modern traffic poses to their livelihoods and to the safety of their horses. But, it is clear that the developments proposed would generate effects on the local highway network variously described as minimal, minor or marginal. Even if the developments were not allowed to proceed, background growth in traffic in the local area would result in the same effects within a few years, so the solution to the horse trainers' problems would not be found by denying permission for these appeal proposals.
76. The two sites are presently agricultural land, some of which is grade 3A (Best and Most Versatile). Although not a reason for refusal, NPPF paragraph 112 advises that the economic and other benefits of the best and most versatile agricultural land should be taken into account. Policy SP17 of the Local Plan

Strategy includes protection of the best and most versatile agricultural land from irreversible loss, which will be resisted unless the proposed use cannot be located elsewhere and that the need for the development outweighs the loss of the resource. However, there is little evidence of any great economic benefit arising from the land. Its other benefits have been considered earlier. This is therefore not a conclusive point but one which needs to be weighed in the overall balance.

77. As agricultural land, the site is greenfield. Its development would not therefore accord with the eighth of the government's core planning principles set out in NPPF paragraph 17 and repeated in NPPF paragraph 11 that planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land). However, national policy does not preclude the development of greenfield land, it simply prioritises other land. But, it is clear from the Local Plan Strategy, that to meet housing needs, greenfield land will need to be released so, once again, this is not a compelling argument against the developments, simply a matter to be weighed in the balance.

Conclusions

78. Planning applications and appeals should be determined in accordance with the development plan unless there are material considerations which indicate otherwise. In this case, the Local Plan Strategy is recently adopted and up to date. Whilst it is silent on the precise allocation of sites for housing development, it provides a mechanism for their allocation through the operation of the Development Management System in the absence of the Local Plan Sites Document.
79. Applying the provisions of the development plan to these proposals, I have found harm to the significance of the nearby listed building to be effectively non-existent and so Appeal A complies with policy SP12. Appeal B would considerably reduce the contribution which the open setting of the house makes to its modern significance as a prestigious country residence.
80. As an undesignated asset, its significance is less than statutory. Nevertheless, the appeal B proposals would marginally compromise the heritage elements of that part of The Ryedale Plan Local Plan Strategy policy SP12 which seek to ensure the sensitive expansion, growth and land use change in and around the District's Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas (defined on the adopted Proposals Map) as well as surrounding historic landscape character and setting of individual settlements. It would also compromise that part of The Ryedale Plan – Local Plan Strategy policy SP12 which seeks to protect other features of local historic value and interest throughout Ryedale but, having regard to the scale of any harm and the significance of the heritage asset, the matter would not be of great consequence.
81. For the same reason and to the same degree, the development of site B would compromise that part of policy SP13 which requires the quality, character and value of Ryedales's diverse landscapes to be protected and enhanced and which requires new development proposals to contribute to the protection and enhancement of distinctive elements of landscape character. It would also compromise those parts of policy SP20 which deal with Character, requiring

- new development to respect the character and context of the immediate locality and the wider landscape and townscape character.
82. In terms of the need to travel, both appeal proposals would conflict with one of the provisions of The Ryedale Plan - Local Plan Strategy policy SP1 but, with the conditions suggested, it would be possible to maximise the use of other sustainable transport modes in the way the NPPF recommends. Both appeals would conflict to a degree with Local Plan Strategy policy SP17 but the Council agrees that this is not a reason for dismissing the appeals.
83. As noted earlier, the proposals would comply with the general locational requirements of policy SP2, which provides for the allocation of sites through the development management process influenced by the five-year deliverable supply position. That does not indicate any overriding need for an allocation to be made. On the other hand, the proposals would also comply with policy SP3, which would be of considerable benefit, given the Council's record of delivery of affordable housing.
84. The application of the substantive development plan proposals does not lead to a definitive result because the conflicts with policies SP12, 13, 17 and 20 are fairly inconsequential but a contribution to affordable housing in accordance with policy SP3 would be significant. Four policies are conflicted but the Council agrees that conflict with one of these is of no concern at all and the conflict with the other three amounts to triple-counting of the same effect; namely the loss of some attractive perspectives of an undesignated heritage asset of limited significance.
85. The decisive consideration is policy SP19, the Council's presumption in favour of sustainable development. This aims to secure development that improves the economic, social and environmental conditions in the area. Consistent with that in the NPPF, this policy has three strands.
86. Although the parties' Statement of Common Ground asserts that they disagree over the weight to be attached to the harms and benefits of the proposals, there was in fact little disagreement other than those already analysed in this decision. In summary, I have found that, as greenfield sites, the land is not of the government's preferred type and, as the Council has a five-year housing land supply, it is not necessarily needed at this particular time but it is available in the right place to contribute to building a strong, responsive and competitive economy. The appellant's lists of specific economic benefits were not challenged and its Unilateral Undertakings will coordinate development requirements with the provision of infrastructure.
87. The proposals will support strong, vibrant and healthy communities by providing affordable housing required to meet the needs of present and future generations. As outline proposals, there is no reason to believe that detailed proposals will not create a high quality built environment. There are accessible local services which will reflect the community's needs and support its health, social and cultural well-being.
88. As greenfield sites, development inherently fails to protect the natural environment but the appeals will largely protect the historic environment and, through the use of conditions both now ((8) and (15) for appeal A, (7) and (16) for appeal B and (11) for both) and at reserved matters stage will help to

improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change.

89. On balance these would be sustainable developments and can therefore be said to comply with the development plan when read as a whole. So, subject to conditions, the appeals should be allowed and permission should be granted.

Conditions and obligations

90. Both appeals are supported with Unilateral Undertakings. Both provide for affordable housing which, as noted above is necessary to comply with policy SP3 and which I count as a considerable benefit of the scheme. Both provide a financial contribution towards air quality mitigation measures. Correspondence between the parties suggests that this will be used to exclude high polluting Heavy Goods Vehicles from the Air Quality Management Area and so compensate for the additional air pollution caused by traffic from the developments. It is therefore necessary for the acceptability of the developments.
91. Site B would provide £5,000 towards the provision of and/or improvements to two bus stops in Norton. Correspondence between the parties suggests that this would relate to two bus stops in the centre of Norton. As noted above, these are too far from the site to encourage the use of sustainable modes of transport by residents of the development and so I consider that this provision is not necessitated by or related to the development of site B and so I take no account of it in my decision.
92. Site B would also provide for a footpath link to Bazleys Lane and so to the Wolds Area of High Landscape Value. This is part of the open space proposals, for which both Undertakings make provision including a play area on site B and which, as noted earlier, are necessary to remedy open space and green infrastructure shortfalls in the area. Site B would also provide a sum of money to provide improved road signage advising motorists of horse riders in the area. Although not solely necessitated by the development, this would be a proportionate contribution and so I take it into account as a mitigating measure. Site B would also provide funding for a travel plan, the necessity for which was noted earlier.
93. The parties jointly suggested 29 conditions for site A and 28 for site B. I have considered these in the light of Guidance and the model conditions appended to the otherwise superseded Circular 11/95, the Use of Conditions in Planning Permissions, preferring the wording of the latter where appropriate.
94. Many of the suggested conditions either duplicated the standard requirement to submit details of reserved matters, or were in effect informatives about the desired content of reserved matters applications or required the implementation or retention of matters which are not before me but which would be the subject of reserved matters or details to be submitted for approval later and so would be more appropriate for imposition when such details are considered.
95. I have not imposed the suggested conditions limiting the numbers of dwellings because "dwelling" is not a precise unit but ranges from a studio flat to a multi-room mansion. Rather, I have imposed conditions limiting the extent of development and height of buildings and specifying the location of open space to be provided in accordance with the recommendations of the appellant's

consultants. In addition to conditions already discussed in this decision, I have imposed conditions requested by the Council's advisers or consultees or suggested by the appellant's consultants for the reasons given in their respective representations.

P. W. Clark

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

David Manley QC	Instructed by Anthony Winship, Solicitor to Ryedale District Council
He called	
Nigel Weir BA(Hons) MA CMLI	Associate Landscape Architect, AECOM
Jennifer Deadman BA(Hons)	Historic Building Consultant
Emma Woodland BA(Hons) MA AffIHBC	Building Conservation Officer, Ryedale District Council
Nick Ireland BA(Hons) MTPI MRTPI	Planning Director, G L Hearn
Matthew Gilbert BSc(Hons) MRTPI	Director, The Planning Consultancy

FOR THE APPELLANT:

Martin Carter, of Counsel	Instructed by Diana Richardson, Planning Manager, Gladman Developments Limited
He called	
Gary Holliday BA(Hons) MPhil CMLI	Director, FPCR Environment and Design Limited
Jason Clemons BA(Hons) DipUD MA MSc MRTPI IHBC	Director and Head of Historic Buildings, RPS CgMS
Martin David Taylor BSc MSc MRTPI MIED	Associate Director, Nathaniel Lichfield and Partners
Diana Richardson MA BA(Hons) MRTPI	Planning Manager, Gladman Developments Limited

INTERESTED PERSONS:

Harry Cawte	Local Resident
Cllr Lindsay Burr	Local Resident and local Councillor
Fiona Campion	Local Resident
Mark Campion	Local Resident
Patrick Gray DipTP MRTPI	Partner, Hickling Gray Associates, on behalf of Local Residents

ADDITIONAL DOCUMENTS submitted at Inquiry

- 1 Notification of Appeal B 10 November 2015
- 2 Notification of Appeal A 10 November 2015
- 3 Notification of Date, Time and Place, appeal B 9 May 2016
- 4 Notification of Date, Time and Place, appeal A 9 May 2016
- 5 Statement of Common Ground signed 7 June 2016
- 6 Sales Particulars, Sutton Farm Norton
- 7 Two bundles of letters of objection and photographs
- 8 E-mail from Fiona Campion 22 April 2016 with photographs

- 9 E-mail from Peter Callaghan 8 June 2016 granting access to Sutton Farm for site visit
- 10 Further Comments from Highways 27 May 2016
- 11 Nick Ireland's Note on Affordable Housing
- 12 Extracts from Planning Practice Guidance; Housing and economic development needs assessments
- 13 Copy of engraving c1790; "Sutton near Malton" The Manor House
- 14 Bundle of photographs from Mark Campion
- 15 Draft Unilateral Undertaking site A
- 16 Draft Unilateral Undertaking site B
- 17 Note from Jason Clemons; Why is the barn such a dominant building?
- 18 Ryedale District Council Housing Strategy Action Plan Draft August 2015
- 19 York, North Yorkshire and East Riding Housing Strategy 2015-21, May 2015
- 20 Diana Richardson's Table 1 revised following evidence of Mr Gilbert
- 21 Written submission by Jennifer Hubbard BA
- 22 Hydrock note on traffic at site access/Langton Road junction
- 23 Suggested conditions site A
- 24 Suggested conditions site B

ADDITIONAL DOCUMENTS submitted after Inquiry

- 1 Unilateral Undertaking Appeal A dated 14 June 2016
- 2 Unilateral Undertaking Appeal B dated 14 June 2016

Appendix A; Conditions for Site A (appeal ref APP/Y2736/W/15/3136233)

- 1) Details of appearance, landscaping, layout, and scale, and further details of the access (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The access to the development hereby permitted shall be carried out in accordance with the following approved plan: 14531-002 revision P1.
- 5) Construction of the access to the development shall not commence until the two traffic calming "speed cushions" in Langton Road in the vicinity of the proposed access have been removed and replaced in positions to be agreed in writing with the local planning authority and the carriageway reinstated.
- 6) The access shall not be used by vehicles until pedestrian visibility splays providing clear visibility of 2m x 2m measured down each side of the access and the back edge of the footway of Langton Road have been provided. Once provided, the visibility splays shall be kept clear of any obstruction to visibility below 1.5m above carriageway height
- 7) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of work
- 8) No development shall take place until a scheme of public lighting has been submitted to and approved in writing by the local planning authority.
- 9) No development, including demolition, shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any new construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate

the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before new construction begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 10) No development shall take place until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the local planning authority.
- 11) No development shall take place until details of the provision of one electric charging point for each dwelling and one public charging point per ten dwellings (or lesser number of dwellings) have been submitted to and approved by the local planning authority.
- 12) The development shall be carried out in accordance with the approved details submitted as required by conditions 1, 7, 8, 10 and 11 and shall thereafter be retained as approved.
- 13) No dwelling shall be constructed nor residential curtilage laid out west of the remnant hedgerow identified as TG6 on drawing number 6283-A-02 included within the Arboricultural Assessment dated February 2015. The land west of the remnant hedgerow shall be laid out as open space in accordance with details to be submitted in compliance with condition 1.
- 14) No dwelling shall exceed a single storey of accommodation with an additional storey of accommodation contained within the roofspace.
- 15) In this condition "retained tree" means an existing tree or hedgerow which is to be retained in accordance with the Tree Retention Plan drawing 6283-A-03 revision C contained within the submitted Arboricultural Assessment dated February 2015; and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the final dwelling to be completed.
 - (i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved Tree Retention Plan, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
 - (iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with section 5 of the submitted Arboricultural Assessment dated February 2015 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any

excavation be made, without the written approval of the local planning authority.

Appendix B; Conditions for Site B (appeal ref APP/Y2736/W/15/3136237)

- 1) Details of appearance, landscaping, layout, and scale, and further details of the access (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The access to the development hereby permitted shall be carried out in accordance with the following approved plan: 14531-004 revision P1.
- 5) The access shall not be used by vehicles until pedestrian visibility splays providing clear visibility of 2m x 2m measured down each side of the access and the back edge of the footway of Langton Road have been provided. Once provided, the visibility splays shall be kept clear of any obstruction to visibility below 1.5m above carriageway height
- 6) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - ix) the parking of vehicles of site operatives and visitors
 - x) loading and unloading of plant and materials
 - xi) storage of plant and materials used in constructing the development
 - xii) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - xiii) wheel washing facilities
 - xiv) measures to control the emission of dust and dirt during construction
 - xv) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - xvi) Hours of work
- 7) No development shall take place until a scheme of public lighting has been submitted to and approved in writing by the local planning authority.
- 8) No development, including demolition, shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any new construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before new construction begins. If, during the course of development, any contamination

is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 9) No development shall take place until details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the local planning authority.
- 10) No building or other obstruction shall be located over or within 3m either side of the centre line of the sewer which crosses the site and no building within 15m of the sewage pumping station located at the southern end of the Langton Road boundary of the site.
- 11) No development shall take place until details of the provision of one electric charging point for each dwelling and one public charging point per ten dwellings (or lesser number of dwellings) have been submitted to and approved by the local planning authority.
- 12) No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 13) No dwelling shall be occupied until a Travel Plan for the site has been submitted to and approved in writing by the local planning authority.
- 14) The development shall be carried out in accordance with the approved details submitted as required by conditions 1, 6, 7, 9, 11, 12 and 13 and shall thereafter be retained as approved.
- 15) No dwelling shall be constructed nor residential curtilage laid out on land indicated as "Green Infrastructure (including POS)" on the submitted Development Framework Plan drawing number 6283-L-03b revision K dated May 2015. The land indicated as "Green Infrastructure (including POS)" shall be laid out as open space including a Local Equipped Area of Play in accordance with details to be submitted in compliance with condition 1.
- 16) In this condition "retained tree" means an existing tree or hedgerow which is to be retained in accordance with the Tree Retention Plan drawing 6283-A-03 revision C contained within the submitted Arboricultural Assessment dated February 2015; and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the final dwelling to be completed.
 - (i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved Tree Retention Plan, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
 - (iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with section 5 of the submitted Arboricultural Assessment dated February 2015 before any equipment, machinery or

materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

Appeal Decision

Hearing held on 28 June 2016

Site visit made on 28 June 2016

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 July 2016

Appeal Ref: APP/Y2736/W/16/3143856

Land to the south of the village hall, Thornton le Clay, York, North Yorkshire, YO60 7TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Henry Mook against the decision of Ryedale District Council.
 - The application Ref 15/00859/FUL, dated 20 July 2015, was refused by notice dated 2 December 2015.
 - The development proposed is the erection of a detached dwelling and associated detached garage for local occupancy
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application subject to this appeal was originally submitted as a house for local occupancy. During the Council's consideration of the application the appellant provided additional information so support the scheme on the basis of its occupancy by a rural worker. Accordingly, I confirm that I have considered the appeal as a proposal for an agricultural worker's dwelling.

Main Issues

3. The main issues in this case are as follows:
 - Whether, having regard to national and local planning policies that seek to avoid isolated new homes in the countryside and achieve sustainable patterns of development, there is an essential need for an additional dwelling to accommodate a rural worker; and
 - The effect of the proposal on the character and appearance of the surrounding area.

Background

4. The appellant lives at Rice Hill Farm with his parents and has worked on the mixed arable and livestock farm since 2008. The holding incorporates around 800 acres of land in and around Flaxton, Thornton le Clay, Harton and East Lilling. The appellant seeks an additional dwelling to enable him to marry and have his own family home, as well as to provide a house close to the land situated to the north of the railway line which dissects the holding.

Reasons

Countryside protection, sustainable patterns of development, and essential need

5. The appeal site is part of a wider field owned by the appellant and is currently occupied by a dilapidated agricultural building. It is outside the development limits defined in the Ryedale Local Plan – Local Plan Strategy (Local Plan) and as such, is within the countryside in policy terms. Paragraph 55 of the National Planning Policy Framework (the Framework) indicates Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as, the essential need for a rural worker to live permanently at or near their place of work in the countryside.
6. Local Plan Policy SP1 advises that in the open countryside development will be restricted to that necessary to support a sustainable vibrant and healthy rural economy and communities. Local Plan Policy SP2 indicates that in the wider countryside new build dwellings will be allowed where they support the land based economy where an essential need for residential development in that location can be justified.
7. The development limits are carried forward from the previous Ryedale Local Plan (2002) and are tightly drawn. The appeal site relates closely to the development limits to the west and to the village generally. As such, even though it is in the countryside in policy terms, the site is not isolated in terms of its relationship to existing built development. Nevertheless, Thornton le Clay is classified as an 'other village' with limited services which include only a pub and a school. There are no opportunities for public transport, and so the future occupiers of the house would be reliant on the private car to meet their day to day needs. This would be at odds with the core planning principle of the Framework to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Moreover, to allow new residential development here would undermine the Council's spatial strategy and the aim to steer development to sustainable locations, and it seems to me that special circumstances to justify a new dwelling would need to be demonstrated.
8. At the hearing we discussed the issue of essential need, and whether or not the physical demands of the business at Rice Hill farm justify a second permanent residency. The appellant's Agricultural Appraisal finds that the enterprise requires four full time employees and the Council does not dispute this. The Council estimates that the sheep and beef enterprise on its own, equates to a need for 1.3 workers and the appellant does not disagree. I am also satisfied that these estimations seem reasonable.
9. The land associated with the holding at Rice Hill Farm is somewhat disparate and dissected by the railway line which runs east to west. Rice Hill Farm itself, and the land surrounding it, are to the south of the railway as is the appellant's land at Harton. However, a significant amount of the land farmed from Rice Hill Farm at East Lilling, along with that at Thornton Moor, Thornton le Clay and West Lilling, is to the north of the railway. The appellant estimates that around half of the enterprise's land is situated there.
10. Although it is possible to cross the railway via a gated crossing close to the farm on Cross Lane this is relatively narrow and unmade and is difficult for larger vehicles or those with trailers to negotiate. It is also a user operated level crossing whereby anyone crossing with vehicles (or animals) must

telephone the signaller for consent. In practical terms I can appreciate that it not always easy or convenient to negotiate this crossing point. The alternative is to use the level crossing on Rice Lane north of Flaxton which is reached from Rice Hill Farm by a somewhat tortuous route via Cross Lane, York Lane and Rice Lane. As such I accept that to get from Rice Hill Farm to the appellant's land north of the railway is not straightforward and takes some time.

11. A total of 250 breeding ewes and 70 suckler cows and calves (to a total of up to 120/130 cattle) are kept at the holding. These graze on the fields to the north of the railway during the summer and the appellant estimates that 80% of the livestock is kept there throughout the majority of the year. Calving and lambing takes place from January to March in the buildings at Rice Hill Farm when the animals are brought in from the fields. Although the need for farmers to maintain an overnight presence during lambing and calving is widely recognised, in this instance it is a seasonal need contained within 3 months of the year. The need to be on hand day and night is therefore short term, rather than a regular or sustained need. Moreover, this need is already met by the existing farmhouse at Rice Hill Farm which is directly adjacent to the buildings in which the lambing and calving takes place.
12. In the run up to lambing and calving and immediately afterwards, the cows and sheep (along with their calves and lambs) require close monitoring in the fields. During November, December and January pregnant ewes need checking three times a day for signs of distress and illness as well as for feeding. Lambs and calves at foot are checked twice a day once they are back in the fields to ensure they are feeding and thriving and in order to administer medicines. It is on the land to the north of the railway where much of this work, along with the day to day management and care of the livestock takes place. However, I see no reason why these daily checks demand a day and night presence.
13. Taking into account the routes that need to be travelled due to the railway, I accept that the proposed house would for the most part be closer to the land to the north of the railway than the existing farmhouse at Rice Hill Farm. In particular it would be adjacent to the two parcels of land in Thornton le Clay which form part of the holding. However, the proposed dwelling would still be a few minutes drive from the nearest land at Moor Lane to the south and even further from the bulk of the appellant's land at East Lilling. Thus, the proposed house would not be in sight or sound of the majority of the appellant's land to the north of the railway. I acknowledge that the Framework does not necessarily expect rural workers to live directly on the site, and refers to them residing at or near their place of work. However, in practical terms, someone asleep at the proposed dwelling would not be alert to animals in distress in the fields (other than in the paddock immediately adjacent to the proposed house).
14. There would be supervision benefits in being closer to the land north of the railway and more regular checks would be possible. This would also help with security and in addressing issues of trespass and theft. However, whilst journey times and response times to emergencies would be quicker (and I note the appellant's view that five minutes could be critical) for the majority of the land north of the railway I am not persuaded that the time savings as a result of the proposed house would be considerable. I am also mindful that somewhat dispersed land holdings are not uncommon, and have not been made aware of any particular problems encountered by the appellant that have arisen due to the distance of Rice Hill Farm from the land north of the railway.

15. The appellant considers that the proposal would allow better use of the land north of the railway where the soil is lighter and sandier and would provide greater integration to the two parts of the holding. He regards the current situation to be limiting the business and would like to increase the number of suckler cows and introduce new practices including year round calving. He also indicates that the house would allow the possibility of lambing and calving outside, and advises that he could rent more land north of the railway in the future. This aligns with paragraph 28 of the Framework which gives support to economic growth in rural areas in order to create jobs and prosperity.
16. However, whilst I appreciate the appellant's aspirations for the future operation of the enterprise and note his proven experience in this regard, I have seen no substantiated evidence to demonstrate that these plans necessarily rely on the proposed house (particularly since it would not be located in close proximity to much of the appellant's land). Thus, I cannot be satisfied that the expansion of the business as outlined could not take place in its absence. Although I also acknowledge that the location of the proposed house would be more convenient for the appellant's contracting work in the Castle Howard Area, I am not convinced that to travel from Rice Hill Farm would take much longer.
17. The appellant's family has connections with farming in the area going back over 150 years and the proposal would allow succession. The Local Plan seeks to ensure that a stronger emphasis is placed on meeting the housing needs of local people. The appellant has social and business links to local community and an aspiration to marry and have his own family home. Furthermore, the appellant's grandmother lives close to the site at The Paddock. There are no objections to the scheme which is supported by local residents. Whilst these are benefits of the scheme, I am mindful that whether a dwelling is essential depends on the particular needs of the enterprise rather than on the personal circumstances of any individuals concerned.
18. Along with the requirements of the lambing and calving and the day to day tasks described, I acknowledge that problems may arise from time to time that require immediate attention outside of normal working hours, and therefore a permanent presence on site is required. At present this need is met by the existing farmhouse where both the appellant and his parents already reside. As things stand, the appellant's father and mother attend to the animals early in the morning and late at night with the appellant doing the day shift. However, I have seen no compelling evidence to demonstrate that the demands of the business are such that an additional worker needs to readily available at the site at most times, on hand day and night, or to provide regular management input outside of normal working hours.
19. On this basis, whilst I accept that there would be some benefits to the business and particularly to the appellant in having a second dwelling on the farm, overall, the need for two agricultural dwellings has not been demonstrated. Thus, there is no reason why a continued overnight presence by one worker and a daytime presence by another/others would not meet the needs of the enterprise and allow it to continue to function properly. As such, as things stand, the existing farmhouse meets the needs of the enterprise, and a functional need for an additional dwelling on the site has not been demonstrated.

20. At the hearing we also discussed whether there is any alternative accommodation that would meet the appellant's needs. The farmhouse at East Lilling Farm has been sold off separately from the surrounding land farmed by the appellant and is not available. The farmhouse at Station Farm is rented by the appellant's older brother who is not involved in the family farming business. There is a brick barn at Rice Hill which the appellant has considered for conversion but ruled out due to its location within the farmyard and close and direct relationship with the agricultural buildings there.
21. The appellant submitted a list of five bedroom houses in Thornton le Clay and others which have been sold, but limited the search to the village only. The Council has undertaken a wider search to take in the nearby larger settlements of Sheriff Hutton, Strensall and Malton, but the appellant regards these to be too far away. However, it seems to me that the holding could be easily reached from one of a number of nearby settlements, and in the event of an emergency, response times would be relatively quick. This being so, and given that an essential need for a second dwelling has not been established, I see no reason why an existing dwelling nearby could not be utilised to meet the requirements of the business in conjunction with the existing farmhouse.
22. Affordability is also an issue and the appellant regards the cost of adequate local housing to be beyond his means. At the hearing details of a house in Thornton le Clay recently offered for sale at £170,000 was discussed, but was ruled out by the appellant as too expensive (as well as lacking car parking). The Council also referred to building plots available in West Lilling which the appellant also regards to be too expensive. However, it has not been put to me that the funding sources identified for the proposed dwelling would not also be available for the alternative purchase of a house (or plot) nearby. Based on the estimated build costs for the proposed house and the details of the houses and plots for sale provided, I cannot be satisfied that suitable properties in nearby settlements would necessarily be beyond the appellant's means.
23. The proposed house would be funded from the appellant's own savings along with a mortgage. It would be likely to be built in conjunction with a local builder and the appellant would use his own labour and machinery to keep costs down. He estimates it would have a long build time over 2/3 years and would cost £130,000 to build. Whilst the Council would be surprised if this were achievable particularly given the size of the house and its double garage, it offers no evidence to the contrary in terms of alternative build costs.
24. As such, I have seen nothing to demonstrate this is not realistic or that the appellant could not afford it. Nor do I see any reason to think that the build costs would impact on the business or divert money from the enterprise at Rice Hill Farm. Given the protracted build period and his intention to work long hours and weekends, the appellant's involvement in the building work would not necessarily impact on his role at the farm. Whilst I note the Council's concern that the resultant dwelling would be out of financial reach for future agricultural workers, I am mindful that it would be offered at a reduced rate due to occupancy restrictions and have seen nothing to suggest that the appellant would be looking to sell the property which is intended for his own occupation. However, this does not alter my findings in relation to essential need outlined above.

25. I note the appellant's concern that the Council relied on the now superseded advice in Annex A of Planning Policy Statement 7 and in particular the functional needs test. I appreciate that whilst this can be a useful reference point, it is no longer government policy. However, I have seen nothing to suggest that the Council did not consider the submitted Agricultural Appraisal, and confirm in any event that I have made my own assessment as to the whether there is an essential need for the dwelling with reference to paragraph 55 of the Framework.
26. I therefore conclude on this issue that the proposal would not be a suitable development having regard to national and local planning policies that seek to avoid isolated new homes in the countryside and achieve sustainable patterns of development, and that there is no essential need for an additional dwelling to accommodate a rural worker. As such the proposal would be contrary to Local Plan Policies SP1 and SP2 as well as paragraph 55 of the Framework.

Character and appearance

27. The pattern of development nearby is irregular with a variety of house types and set back distances. The houses opposite the appeal site are set well back from the road and the frontage there is more broken and unregimented and is disrupted by the curved road pattern. The appeal site is near to the development limits to the west and relates closely to the rest of the village. I have had regard to the appellant's plan showing the visually defined arc of the developed area of the village into which the appeal site would fall.
28. That said, for the most part, the pattern of development in the village, including on the south side of Low Lane in the vicinity of the appeal site is generally linear. In contrast to this existing development, the proposal would introduce a large detached house with a detached garage in a backland position behind the main built up frontage on the south side of Low Street (as established by the White Swan and the Village Hall). Although there are examples of existing backland development in the village, including at nearby Rosary Cottage, to my mind these are not prevalent and do not unduly undermine the predominantly linear form of the settlement. In any event, I am not aware of the circumstances that led to those historic developments and so cannot be sure that they are comparable to the appeal proposal. As such, they do not in themselves justify further development at depth here.
29. The appellant considers that Local Plan Policy SP2 which allows development in 'other villages' in small open sites in an otherwise continually built up frontage (subject to a local needs occupancy condition) lends support to the scheme. However, since the site is not within the development limits I am mindful that it is not within the village and Local Plan Policy SP2 would not apply. Moreover, because it sits well behind the main frontage to Low Street I do not in any case regard it to be an open site in an otherwise continually built up frontage.
30. I accept that the proposal would not be prominent from Low Street. The curve in the road and the relatively narrow gap between the White Swan and the Village Hall would limit views of it from there. Additionally the appeal site is well screened by existing hedgerows along its boundaries with mature trees on the western boundary. Nevertheless, the substantial form of the proposed house would be evident on the approach to the village from Foston. Even when the hedgerows and trees are in leaf during the summer months, and despite the intervening separation distance, it would be clearly seen over the

hedge and through the gap created by a gated entrance. Although it would be appreciated against the backdrop of the trees and in part the village, it would protrude further southwards beyond the extent of existing development and intrude into the countryside. As such, notwithstanding its generally traditional design, it would alter the character and form of this part of the village and unacceptably undermine its rural character.

31. The proposal would see the replacement of the redundant farm buildings. Although these are somewhat run down, they appear typical of agricultural buildings and do not appear out of place in their rural setting. As such, I do not regard their removal to be a benefit of the scheme.
32. The appellant refers to examples of other new development in the village. I saw at my visit the two new houses built to the west of the White Swan. Although these are not dissimilar in size and design to the appeal scheme, they are sited within the development limits for the village and front Low Street forming part of the linear development there. As such, whilst close by, these existing houses are set in a different context to the appeal proposal. I also saw other examples of new development on High Street and a timber clad building that was under construction opposite the appeal site on Low Street. However, these examples also present a frontage to the road rather than sitting behind existing development. Again, since I am not aware of the full circumstances that led to those developments, I cannot in any case be sure that they are directly comparable with the appeal scheme. I confirm in that regard that I have considered the appeal proposal on its individual planning merits and have made my own assessment as to its impacts.
33. I therefore conclude on this issue that the proposal would be harmful to the character and appearance of the surrounding area. This would be contrary to Local Plan Policy S16 which expects development proposals to reinforce local distinctiveness and respect the context provided by its surroundings. It would conflict with Local Plan Policy S20 which expects new development to respect the character and context of the immediate locality. It would also be at odds with the core planning principle of the Framework to seek to secure high quality design.

Conclusions

34. The Council indicates that it has a five year housing land supply. The appellant does not dispute this, but refers to the presumption in favour of sustainable development. In terms of the three dimensions of sustainable development¹, it seems to me that in economic terms the proposal would bring short term construction work and on going spending associated with additional residents. Local residents refer to the support that the proposal would bring for local businesses. However these benefits would be limited by the small scale of the proposal. Since I have found that there is no essential need for an additional dwelling, and for the reasons set out above, I am not convinced that the proposal's contribution to supporting rural economic growth and creating jobs and prosperity (as required by paragraph 28 of the Framework) would be significant.

¹ As set out at paragraph 7 of the Framework – Economic, Social and Environmental

35. In social terms the proposal would add to housing land supply. Whilst this counts in its favour, its contribution in this regard would again be limited by its small scale for a single dwelling. Thus, overall the scheme would play only a small role in enhancing or maintaining the vitality of the rural community (as required by paragraph 55 of the Framework). Furthermore the proposal would be harmful to the character and appearance of the surrounding area and would thereby fail to contribute to protecting and enhancing the natural environment. Additionally, since I have found that residents would be reliant on private car journeys for most services and amenities, the proposal would fail to meet the environmental role of sustainable development in terms of its approach to pollution, climate change and the move to a low carbon economy.
36. On this basis, and since I have found the proposal to be contrary to the development plan, I do not regard the scheme to amount to the sustainable development that the Framework indicates should be approved without delay.
37. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Henry Mook
Ian Timothy Dykes

Appellant
Planning and Design Associates

FOR THE LOCAL PLANNING AUTHORITY:

Rachel Smith
Jill Thompson

Ryedale District Council
Ryedale District Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Sale details for 3 bedroom semi-detached house on Low Street
Thornton le Clay
- 2 Letter from White and Hoggard Chartered Certified Accountants