

**Item Number:** 6  
**Application No:** 13/00016/MOUT  
**Parish:** Pickering Town Council  
**Appn. Type:** Outline Application Major  
**Applicant:** Methodist Homes  
**Proposal:** The erection of a retirement community of 168no. assisted living units comprising 90no. care suites/apartments and 78no. bungalows together with associated community facilities, access, parking and landscaping (site area 4.37ha)  
**Location:** Land At OS Field 9525 Crossgate Lane Pickering North Yorkshire  
**Registration Date:** 9 January 2013      **8/13 Week Expiry Date:** 10 April 2013  
**Case Officer:** Gary Housden      **Ext:** 307

**CONSULTATIONS:**

<b>Building Conservation Officer</b>	Object/Concerns - Further comments awaited
<b>Juliette Daniel (Head Of Extra Care)</b>	Support
<b>Mr Jim Shanks</b>	Comments received - condition recommended
<b>English Heritage</b>	Comments made - Defer to views of Conservation Officer
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Sustainable Places Team (Yorkshire Area)</b>	No objections
<b>Yorkshire Water Services</b>	Recommend conditions
<b>Tree &amp; Landscape Officer</b>	Comments received
<b>Archaeology Section</b>	Recommend condition
<b>Environmental Health Officer</b>	Recommend conditions - contamination investigation
<b>Housing Services</b>	Approve subject to Section 106 re Affordable/Occupancy criteria
<b>Countryside Officer</b>	Recommend condition
<b>Parish Council</b>	Object - doesn't support
<b>Pickering &amp; District Civic Society</b>	Object
<b>Vale Of Pickering Internal Drainage Boards</b>	Comments

**Neighbour responses:** Mr And Mrs R And A Fuller, Mr J P Alexander, Ms Angela Key, A Asquith, P Hudson, Mrs Julie Warren, Mr John Aston, Mrs Julie Hepworth, W. Asquith, Mr Nigel Copsey, Mr And Mrs P And E Simpson, Mrs Nan Sykes, M E Hollows, C Lindsley, Mr Eden Blyth, Mr Mark Chappell, Mr Richard Kimmings, Mrs Kayleigh McCall, Ms Deborah Bryant, Mr & Mrs Fuller, Mrs Marion Pearce,

**Overall Expiry Date:** 24 July 2013

**SITE:**

The application site lies to the eastern side of the A169 (Malton Road) approximately 800 metres to the south of Pickering Town Centre. Its western boundary abuts the A169; its northern boundary abuts Crossgate Lane and its southern and eastern boundaries are formed by field hedgerows with agricultural land beyond.

The site has a total area of approximately 4.4ha which is in agricultural use. The site is bisected by four relatively narrow 'strip' fields which are marked by hedgerows and hedgerow/trees with some

gaps in between.

The site is located outside of, but immediately adjacent to the 'saved' development limits of the town which in this locality, follow the curtilages of residential properties on Malton Road; Crossgate Lane and Outgang Road.

### **PROPOSAL:**

The application is submitted in outline with matters of access, layout and scale to be determined. The application is brought forward by Methodist Homes (MHA), a registered charity, and it is a major application described by the applicants as a retirement community of 168No. assisted living units, comprising 90No. care suites/apartments and 78No. bungalows with associated community facilities, access, parking and landscaping. The application is accompanied by a series of detailed technical reports, including the following:-

- Planning Statement;
- Design & Access Statement;
- Landscape & Visual Assessment;
- Transport Assessment;
- Travel Plan;
- Phase 1 and 2 Land Investigation;
- Great Crested Newts and Extended Phase 1 Habitat Survey;
- Flood Risk Assessment;
- Energy Statement;
- Statement of Community Involvement (SCI);
- Archaeological Report and Trial Trenching Report;
- Tree Survey; and
- MHA Service Statement Assisted Living (Extra Care) development.

All of these reports can be viewed on the Council's website. However, for ease of reference, the Planning Statement setting out the background and rationale for the proposals are attached in full for Members information.

In summary, the applicant's submission sets out that the scheme has been designed to address the care needs that have been identified for Pickering and Ryedale and the development seeks to provide accommodation in a mix of properties with range of tenure options with properties for sale rent and shared ownership. The dwellings are restricted by age to those over 60 and with a care requirement.

As mentioned earlier, the application comprises a mixture of differing types of accommodation in a range of one and two bedrooms, all of which are accessed via a new entrance off Malton Road. The bungalows are arranged around the south, west and part of the northern periphery's of the site. Typically, they have eave heights of 2.4m and apex heights varying between 5.3 and 6 metres depending upon the particular design of unit.

The care suite/apartments and community facilities building is located in the north-western section of the site, close to the junction with Crossgates Lane and Malton Road. This block of buildings is set predominantly over two and three-stories with the two-storey elements located closest to the north and western boundaries of the site. The three-storey element shown on the submitted plans and elevations incorporates 12No. of the apartments listed in the description of the development. This element is located towards the centre of the site.

The eaves and apex heights of the two-storey buildings typically range between 5.2 and 6 metres and 8.5 and 9.6 metres respectively. The three-storey elements have eaves and apex heights of approximately 8.2 and 11.5 metres respectively.

The site layout and landscape plans show how the development has been designed to retain as much as possible of the existing hedgerow pattern that currently exists on the site. The scheme does, however, include areas of hedgerow removed at the point of the new access with Malton Road and localised removal of other sections of hedgerow within the site to accommodate roads or buildings. This is most noticeable in the area of the communities facilities building.

The Design Principles are set out in more detail in the applicant's Design & Access Statement and key elements are set out in Pages 13 to 22 inclusive of that report. The full Design & Access Statement can be viewed on the Council's website.

Members will also be aware that a Site Inspection of the MHA scheme at Martin Grange, Otley Road, Harrogate took place on 10 May 2013. The purpose of the visit was for Members to appreciate the range and type of accommodation that is offered by MHA as part of a mixed community run on a similar model. The site visit also gave Members attending the opportunity to appreciate the quality of the scheme; the care packages that are offered by MHA according to the needs of particular residents. Martin Grange is located within the built-up area of Harrogate and its context is, of course, different to that which is the subject of the current application at Pickering.

### **HISTORY:**

11/00510/PREAPP: Pre-application discussions given by officers supported a special justification could be brought forward to merit a departure from the Plan based on the identified care needs. It was recommended to site any taller buildings away from the site boundaries.

### **POLICY:**

#### National Policy Guidance

National Planning Policy Framework:

The presumption in favour of sustainable development - Paras 11, 12, 13 and 14  
Core planning principles - Para 17  
Promoting sustainable transport - Para 34  
Delivering a wide choice of high quality homes - Paras 48, 49 and 50  
Promoting healthy communities - Para 69  
Meeting the challenge of climate change, flooding and coastal change - Paras 98 and 103  
Conserving and enhancing the natural environment - Para 109  
Conserving and enhancing the historic environment - Paras 129, 131, 132, 135 and 139  
Determining applications - Paras 196 and 197  
Enforcement - Paras 214, 215 and 216

Local Planning Policy

#### Ryedale Local Plan

'Saved' development limits

#### Emerging Ryedale Local Plan Strategy

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 SP12 - Heritage

Policy SP13 - Landscape  
Policy SP14 - Biodiversity  
Policy SP18 - Renewable and Low Carbon Energy  
Policy SP19 - Presumption in favour of Sustainable Development

#### **APPRAISAL:**

The following matters are considered to be key considerations in the determination of this application:-

- Principle of development;
- Impact on historic landscape/heritage assets;
- Design approach;
- Highway/Access issues;
- Archaeology;
- Ecology;
- Flood Risk/Drainage; and
- Affordability, including care and occupancy of the units.
- Trees
- Renewable and Low Carbon Energy

#### Principle of development

The site lies beyond the 'saved' development limits of the town as identified in the Ryedale Local Plan (adopted 2002). Members will be aware, however, that the plan is considered to be out-of-date in the context of the requirements of the more recently issued National Planning Policy Framework. Paragraphs 214 - 216 of the NPPF give clear advice to Local Planning Authorities of the weight that can be afforded to out-of-date plans now that the NPPF has been published for over 12 months. The NPPF in principle, seeks to promote sustainable development, with the three themes of economic, social and environmental impact to be taken into account when planning decisions are made. It is noted that Pickering is identified as a Local Service Centre (Market Town) and is the Secondary Focus for Growth in Ryedale, behind the principle town of Malton and Norton. New housing land provision for around 750 units identified in the submitted Local Plan Strategy for Pickering identifies land to be distributed to provide within current limits; on extension sites around the town of varying sizes and avoiding coalescence with Middleton. The submitted Local Plan Strategy also identifies the need to increase the choice and quality of housing through a variety of measures to provide increasing housing choice and to contribute to the provision of a balanced housing stock. This will include the need to address specific needs including extra care provision.

Members will be aware that the Council's comment currently demonstrates that it does not have a five-year supply of housing. Housing applications are required to be considered in the context of the presumption in favour of suitable development. Para 49 of the NPPF goes on to state that policies for the supplying of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 of the NPPF goes on to state that Local Planning Authorities should deliver a wide choice of high quality houses and

- *“plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, facilities with children, older people, people with disabilities, service families and people wishing to build their own homes);*
- *identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand;*

- *where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) 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”.*

Whilst extra-care differs from conventional market housing schemes, it is clear that schemes such as this are a response to the needs of an aging population. By 2020, it is estimated that one in four people will be over the age of 65 and the emerging plan supports in principle, the provision of a range of accommodation by specialist providers to support the needs of an aging population. In addition to the extra care facilities as described in the NYCC Programme, it is accepted by officers that other accommodation provided by the market will be required to meet that need.

NYCC Health & Adult Services have responded in support of this application. In addition, further comments have been received from NYCC Health & Adult Services in response to comments made for some objections to the scheme. A copy of a letter from Ms Daniel, Head of Extra Care at NYCC is appended for Members information and confirms NYCC’s position that there is “limited availability of accommodation, which is mainly residential care or sheltered housing accommodation, evidences the need for further supported accommodation for older people within that locality”.

The applicant’s Planning Statement sets out their assessment of the need for the development and that the NYCC accommodation will not meet the whole of the care needs for the town. Moreover, the proposal does not ‘compete’ with NYCC’s scheme and is supported by the County Council in principle.

#### Impact on the historic landscape/heritage assets

Whilst the site is not located in any nationally and locally designated area, it is located close to the built-up area of the town and relatively close to the southern limits of the designated Conservation Area. During the processing of the application, additional photographic information has been submitted to the Council for consideration by the applicant to demonstrate the visual impacts of the scheme from certain vantage points in the locality. These are again viewable on the Council’s website and will be reproduced at the Committee meeting presentation. These are currently the subject of consultation with English Heritage and the Council’s Building Conservation Officer (BCO). Both sets of initial comments are appended for Members information.

English Heritage note the potential archaeological value of the site which will be dealt with later in this report. They identify both the direct and indirect impacts of the scheme and welcome the layout which preserves the visual evidence of the field system for future generations. They consider the mass of the village care centre is broken by the varied facade and differing ridge lines. However, they express concerns that the scale and, in particular, the height of the three-storey section is considered to be overbearing. The need for the third floor was considered to require further justification.

The BCO has concerns over the principle of the development which is close to the designated Conservation Area boundary at its nearest point on Outgang Lane. It is approximately 300m away at its eastern end so the direct impact is considered to be much reduced at that point. Nevertheless, at the eastern end, it is c.30 metres away and its impact on the setting of the designated area is greater as a result. In NPPF terms, the impact is considered to be adverse ‘less than substantial harm’ to the designated heritage asset.

The BCO concludes this harm would be indirect and ‘less than substantial’ and, according to the NPPF, the merits of the scheme need to be weighed against the public benefits of the proposal.

The NPPF also makes reference to non-designated heritage assets. In this case, the Ryedale District Council's Special Quality Study identifies strip field systems around much of the periphery of Pickering as important features which are relatively rare. Notwithstanding English Heritage's view, the Council's BCO considers that the scheme would give rise to substantial harm to the openness of the strip field system. It is acknowledged, however, that the field system is a non-designated heritage asset and this has some impact on the weight to be afforded to this objection in the planning balance (see Paragraphs 129, 131, 132, 135 and 139 of the NPPF).

*“Para 132: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*Para 135: The effect of an application on the significance of a non-designated heritage asset should be taken into account determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.*

In response to the English Heritage and Building Conservation Officer comments, the applicant's have produced a number of visuals in order to examine the visual impact of the proposals and in particular the 3-storey element. These have been subject to further consultation. Further comments received in relation to the additional visual information will be reported through the Late Pages or directly at the Committee.

#### Design Approach

The design approach has been amended following pre-application discussions with officers and also in response to NYCC comments that a care home would not be supported which was removed from the proposals. The tallest buildings on site have been re-located away from the periphery of the site adjacent to Malton Road and Crossgates Lane. Whilst the variation in roof forms and designs are considered to add visual interest to the scheme, there are no other three-storey buildings on the southern approach to the town and both English Heritage and the Council's Building Conservation Officer have expressed concerns/objections to this aspect of the scheme.

The layout has been designed to try to retain as much of the historic field pattern as possible. This aspect of the scheme has been welcomed by English Heritage, but elements of the scheme such as the east-west road have been criticised by the Council's BCO. Whilst the roadway does 'cut' through the north-south alignments of the fields, this route has been chosen to align with existing gaps and to minimise hedgerow/tree loss and the general siting of buildings and driveways has been designed to fit within the line of the existing hedgerows on site.

The individual designs are considered to be appropriate with consideration of the local vernacular in the scale and appearance of the elevations. The palette of materials includes the use of brick, stone, render, red pan tiles and slate. The precise details of these, however, would be the subject of a planning condition and the final appearance of the buildings would be the subject of an application for reserved matters approval.

The Energy Statement accompanying the submission sets out the aspiration to secure a minimum BREEAM rating of 'very good' for the development and an aspiration to deliver up to 20% of the energy from on site low-carbon or renewable energy sources.

### Highway/Access issues

NYCC Highways have no objection to the scheme subject to a series of detailed conditions including the implementation of the detailed Travel Plan.

The applicant has agreed during the application process to provide a signalised crossing on the A169 on Malton Road at the site in a position to be agreed with the Highway Authority. The re-location of the 30mph speed limit to the south of the proposed site entrance and improvements of pedestrian routes into the Town Centre along the A169 with tactile paving and dropped kerbs where required.

### Archaeology

A detailed archaeological report was submitted with the application and at the request of NYCC, an extensive area of trial trenching was undertaken. The results of this were confirmed in a Trial Trenching report from MAP which concluded some of the remains found are of regional importance. NYCC Archaeology have confirmed, however, that development can proceed and have requested that an appropriate Written Scheme of Investigation condition is imposed on any permission granted to secure adequate investigation and recording.

### Ecology

The Council's Countryside Management Officer has inspected the site and considered both the GCN report and extended Phase 1 Habitat Survey. No objection is raised subject to a condition requiring the habitat measures and the species protection and mitigation measures to be included [as details set out in Sections 5 and 6 of the Habitat Survey].

### Flood Risk/Drainage

Yorkshire Water and the Environment Agency have no objection to the scheme subject to conditions relating to on-site and off-site sewage design being agreed.

The Vale of Pickering Internal Drainage Board has requested that any discharge route does not exceed 1.4 litres/second/hectare. Improvements are recommended to Outgang Drain if it is needed for any surface water discharge from the site. This matter, however, can be addressed by a planning condition or as part of a Section 106 Legal Agreement.

### Affordability (including Care) and Occupation of the Units

The applicants have promoted a scheme which seeks to address the extra-need needs of the locality. As part of that scheme, 24No. units are proposed to be affordable units. The Council's Housing Services Manager has been involved in these negotiations and has concluded in principle, that the content of the Section 106 heads of terms are acceptable subject to further clarification and minor revision, including clarification on service changes.

The applicants have confirmed that the Section 106 includes local eligibility criteria for the units that would comprise the affordable units. Furthermore, MHA have confirmed that they will also apply the NYCC eligibility criteria for extra care accommodation which will ensure that occupants are over 60 (or younger if they have a disability) with a housing, care or support need. The criteria also 'radiates' from the existing settlement in a similar manner to that proposed by the criteria for the affordable units. This is proposed to be incorporated into the permission to ensure that there is control over the local occupancy of the units in question.

### Trees

The submitted tree survey identifies that the main species on site are sycamore and ash. Whilst the proposal aims to retain most of these on site several trees are in poor condition (particularly the ash).

Left in decline some trees would last another 20 to 40 years. Some are likely to decline faster as a result of the development and there is considered to be little point in retaining trees that could become a hazard if the site is developed.

Nevertheless the trees have an ecological value and could in part be retained on site to further this end. A scheme including replacement planting and management of those existing on site is recommended if permission is granted.

#### Renewable and Low Carbon Energy

Member will be aware that the RSS was recently abolished and the adopted Development plan policy requirement for renewable energy to be sourced to served major schemes currently does not exist. The emerging Local Plan Strategy seeks to reintroduce opportunities for the delivery of on site renewable or low carbon energy.

As stated earlier, however, the applicants have submitted an Energy Statement that MHA seek to deliver 20% of the schemes energy demand through a combination of Gas CHP, Biomass, Ground Source Heat Pumps, Air Source heat Pumps and photovoltaics. A condition is recommended to secure this outcome with the final details to be submitted as part of the final approval of reserved matters if permission is granted.

#### Other matters

##### Land Contamination

A desk top study has been submitted which indicates that there is a low risk to the future users of the site. However the Council's EHO has recommended a further condition to require an investigation on site to ensure that there are no contaminants- or if any are found that they are appropriately remediated.

##### Safer Neighbourhoods

The Police Architectural Liaison officer has noted the efforts to design out crime in the DAS statement. The only area of concern relates to the extent of communal spaces on site associated with the extra care facility. Physical security measures to a high standard are therefore recommended and a detailed proposal to address the following points:

1. *All vulnerable ground floor windows and doors should meet British Standards in respect of security i.e. security-tested to comply with British Standard 7950 and British Standard PAS.24 respectively (minimum Secured by Design Standards).*
2. *Front doors should be located where they can be seen from the street and neighbouring houses. They must not be located in deep recesses or behind other obstacles that would provide cover for criminal activity.*
3. *It is important to avoid the creation of windowless elevations and blank walls adjacent to space to which the public have access.*
4. *The profile of the main entrance into the site should ideally display a presence which will give the impression that the development and its grounds are 'private'. The use of rumble strips, change of road surface (by colour or texture), pillars, brick piers or narrowing of the carriageway are measures that could be considered.*
5. *The security of the proposed 'village hub' building and the apartments within needs carefully consideration, bearing in mind that facilities will be accessible to not only residents of the site but the wider community.*
6. *Appropriate street lighting should be provided around the site. Good lighting will deter intruders and reduce the fear of crime. Lighting should comply with British Standard 5489 - 1:2003.*



7. *The landscape/planting plans should be developed in tandem with any proposed lighting. Account should be taken of expected growth characteristics of proposed trees and shrubs in relation to sight lines and lamp columns.*
8. *Any vegetation proposed should be located carefully so as not to create potential hiding places for would-be criminals to exploit or impede natural surveillance of the dwellings or car parking areas.*
9. *If the development does get the go ahead, careful consideration should be given to securing the site during construction, to prevent unauthorised access and theft of equipment”.*

#### Local Consultation responses

The Pickering Town Council responses are appended in full for Members information. The Town Council recognise the need for a care facility in the town and recognise that the MHA scheme is different from other provision in the town. The Council also recognise the need for the care of those suffering from dementia.

The Town Council is however concerned at the scale of the development and its location on the southern approach to the town. Detailed matters relating to the landscape, access, scale and demographic issues are also raised and the overall response is one of objection. The Town Council has re iterated those earlier comments in respect of a more recent consultation on additional visual information submitted by the applicant.

Initial local consultation has given rise to 14 letters of objection together with a petition with 10 local residents who object to the scheme. An objection has also been received from the Pickering Society and CPRE. Points raised in that correspondence include adverse visual impacts ; traffic/access issues; loss of historic fields; affordability; site still in agricultural use; outside development limits; archaeological issues; ecological issues; prematurity; height of buildings; drainage concerns; adverse impact on town centre; segregated community; adverse impact on population balance; increased impact on services.

3 letters of support have been received stating that they consider many objectors to be adopting a NIMBY approach; most people living in the scheme are likely to be local; that the scheme is a ‘wonderful’ solution to large numbers of elderly people who live on their own but who are unlikely to complain or make their needs more widely known and that schemes of this nature will enable people to downsize and free up larger family homes elsewhere.

A more recent consultation has resulted in 3 further letters of objection raising similar issue to those listed above. All of the above-mentioned correspondence can be viewed on the Council’s website.

#### Concluding Comments

This application has given rise to a series of concerns and objections which have been discussed in the report above. Concerns in respect of the principle of the development are considered to be difficult to substantiate in the light of more recent national policy advice contained in the NPPF. There are also social and economic benefits to be derived from the contributions and operation of the site and these are required to be balanced within the environmental impacts of the scheme set out above.

Nevertheless, there is considered to be some adverse impact on both a designated and undesignated heritage asset. However, at the time of making this report, the Council’s BCO has concluded that the impact on the designated Conservation Area is ‘less than substantial’. The BCO considers the impact on the field system is substantial but acknowledges that this is an undesignated asset. In these circumstances, Para 135 of the NPPF requires Local Planning Authorities to make a balanced judgement to be made having regard to the scale of any harm or loss and the significance of the heritage asset. It is also of note, that English Heritage have no objection to the impact on the undesignated asset.

The applicants have submitted further information for the Building Conservation Officer and English Heritage to consider in the light of their earlier comments which in their view, demonstrate the localised impact on both the Conservation Area and the local landscape to be over-stated. English Heritage have subsequently responded stating that they now consider that sufficient information has been submitted to enable the Local Planning Authority to fully assess the impacts of the scheme.

In terms of the general approach, however, the scheme is considered by officers to be well designed with careful attention paid to the elevations of the scheme to ensure that it sits well in townscape terms. Lower profile units are located towards the edge of the site which to some extent, screen the taller buildings which have been referred to earlier in this report. The variation in eaves and apex heights shown on the illustrative drawings result in an interesting design which is well landscaped and which is laid out in a manner which retains the majority of the existing field patterns.

**RECOMMENDATION: Pending Conservation Officer Comments**

**Background Papers:**

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