

**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: 8
Application No: 13/01088/MFUL
Parish: Nawton Parish Council
Appn. Type: Full Application Major
Applicant: Yorkshire Housing Ltd (Mrs L Fargher)
Proposal: Erection of 2no. semi-detached three-bedroom dwellings, terrace of 3no. two-bedroom dwellings, 2no. one-bedroom flats, 1no. four-bedroom dwelling and 2no. semi-detached two-bedroom bungalows with parking spaces, amenity areas and vehicular access road
Location: Land At Station Road Nawton Helmsley

Registration Date: 10 October 2013 **8/13 Week Expiry Date:** 9 January 2014
Case Officer: Shaun Robson **Ext:** 319

CONSULTATIONS:

Parish Council	Object
Highways North Yorkshire	No views received to date
Housing Services	No views received to date
Yorkshire Water Services	Comments on waste water
Sustainable Places Team (Yorkshire Area)	No objections
Forward Planning & Conservation	No views received to date
Environmental Health Officer	Recommend condition

Neighbour responses: Mr And Mrs P Mackley, Mr Leslie Helm,
Overall Expiry Date: 20 November 2013

SITE:

The application site is 0.33 hectares situated to the southern side of Station Road and outside the 'saved' development limits of the village. It is presently a grassed paddock with housing on Station Road abutting its western boundary.

Access is via Station Road which leads to the A170 to the north.

PROPOSAL:

Full planning permission is sought for the erection of 10 dwellings consisting of 2no. semi-detached three-bedroom dwellings, terrace of 3no. two-bedroom dwellings, 2no. one-bedroom flats, 1no. four-bedroom dwelling and 2no. semi-detached two-bedroom bungalows. The proposed development will also incorporate parking spaces, amenity areas and a vehicular access road.

The dwellings configurations are 2 storey with the exception of two single storey bungalows and the internal sub-division of one of the 2 storey buildings to create 2 flats. The external appearance of the dwellings will be of a traditional appearance constructed in brick under a pan-tile roof with timber windows and doors.

PLANNING COMMITTEE

17 December 2013

The revised road configuration provides for an area of public open space immediately to the north-east of the proposed dwellings.

HISTORY:

08/01158/MFUL Erection of 6 no. semi-detached three bedroom dwellings, 1 no. two bedroom dwelling and terrace of 3 no. two bedroom dwellings with parking, access and public open space – Approved 17/03/2009

POLICY:

National Policy Guidance

National Planning Policy Framework - March 2012

Achieving Sustainable Development

Presumption in favour of Sustainable Development

- **Paragraphs 11, 12, 13, 14, 15 and 16**

Core Principles

- Paragraph 17

Delivering a wide choice of High Quality Homes

- Paragraphs 47, 49, 50, 55

Requiring Good Design

- Paragraph 57

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 SP16 – Design

Policy SP20 – Generic Development Management Issues

Other Documents

The Council's 2011 Strategic Housing Market Assessment

PUBLICITY:

2 letters of objection have been received from residents and the Parish Council has objected citing some or all of the following points:-

- A demand does not exist for the housing proposed;
- The proposed scheme will exceed the local need, therefore the development conflicts with Policy SP3 of the Local Plan Strategy;

- The May 2012 housing needs survey compiled with Nawton Parish and Beadlam Parish Councils and RDC Rural Enabling Officer does not identify the need for the number and tenure of properties proposed;
- The Sidings and Ashton Green (adjacent Yorkshire Housing development) developments have vacant capacity;
- Dust and construction traffic nuisance;
- The properties, if built, will not be occupied by those who have a need within the locality.

1 letter of support has been received citing the following: -

- An interest in either a 2 or 3 bedroom house on the proposed development.

APPRAISAL:

The main considerations in respect of this application are:-

- The principle of residential development;
- The siting, design, scale and layout of the proposed development;
- Impact on amenities of adjacent properties and surrounding area;
- Highway safety;
- Drainage;
- Flood Risk;
- Ground contaminants

Principle of Residential Development

The proposal is submitted on the basis of an exception development outside the 'saved' development limits for the settlement specifically to meet a local housing need. Both National and Local Policy support the principle of such development where on local need has been identified.

The site is located outside of the development limit of the settlement with a population of 3,000 or less, therefore the site constitutes a 'rural exception site'.

Policy SP3 of the Ryedale Plan – Local Plan Strategy states: -

Rural Exception Sites

Proposals for affordable housing schemes outside of the Development Limits of all settlements with a population of 3,000 or less will be supported where

- *A scheme will help to meet but not exceed proven local need ****
- *The site is contiguous with the Development Limits of the settlement or is physically and visually well connected with the settlement.*
- *The affordable homes provided are available to households in local housing need in perpetuity*

A limited number of market homes will be allowed as part of Rural Exception Sites where it can be demonstrated that:

- *These are essential to enable the delivery of the affordable homes by a Registered Provider and the delivery of an appropriate mix of affordable house types and tenures to reflect need in the locality; and*
- *The market homes proposed are the minimum number required to achieve viability in the absence of public subsidy or reduced public subsidy*

*** * Local need meaning need in the Parish or adjoining Parish*

Following the receipt of the objections in relation to the need for the development to be brought forward, (specifically the identifiable housing need) the Rural Enabling Officer has re-established contact with those individuals who responded to the original May 2012 housing needs survey. Further discussion has also taken account of an additional two responses that were received after the closing date of the initial survey. The results of the follow-up discussions have identified that the circumstances of those individuals, together with the additional two late arrivals, has largely remained the same and that a current need exists.

The need identified consists of the following: -

2 x 1 bed apartments for rent;

3 x 2 bed houses for rent;

2 x 3 bed houses for rent;

1 x 4 bed house for rent;

2 x 1/2 bed bungalows for rent.

The current location of those individuals above is split with the majority located in Nawton (7), two from Beadlam and one from Wombleton. The local need 'meaning' or criteria within adopted Local Plan Strategy Policy SP3 is the Parish or adjoining Parish. Given that the majority of those identified currently reside in Nawton the question remains over the adjoining Parish criteria. Those 'quantifying' Parishes adjoining Nawton are as follows:-

Beadlam;
Welburn;
Wombleton;
Kirkbymoorside;
Fadmoor;
Pockley;
Harome; and
Barnsdale.

The need identified by the Council's Rural Enabling Officer therefore fully accords with the requirements of Policy SP3. It should also be noted that the need identified currently only extends to two of the adjoining eight parishes.

The scheme therefore closely addresses an identified local affordable housing need subject to the imposition of appropriate controls to ensure the occupancy of the dwellings to those in local need. In such instances this is normally controlled via a Section 106 Agreement.

The siting, design, scale and layout of the proposed development

The layout and design of the proposed dwellings has been executed in a manner which reflects the simple form of traditional development in this part of Nawton. The design, scale and massing reflects the completed first phase 'exception' site scheme to the west. The proposed form is therefore considered to be appropriate.

The scheme relies upon a similar form of development to the west whilst integrating modern efficient interiors. Traditional materials are proposed in the form of brick and pan tile with simple window forms which is coupled with an acceptable layout to create a sufficient separation distance between the proposed development and the existing residential properties to the north and west.

Highway Safety

The Highway Authority has not responded to date. However Members will be appraised of any comments received at the Committee.

Drainage

The Local Planning Authority has consulted Yorkshire Water in relation to the proposed development. Yorkshire Water has not objected to the development.

Flood Risk

The Environment Agency has responded to the formal consultation stating that they have no objection to the proposed development.

Conclusion

Whilst concerns have been received in relation to the need for the proposed development this issue has been investigated in detail and the justification for the scheme is accepted by officers.

Therefore the application is recommended for approval, subject to a S106 relating to the occupancy of the properties.

RECOMMENDATION: Approval subject to S106 Agreement

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 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 Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

3 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 Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

4 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 Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

- 5 Before the development hereby permitted is commenced, details of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary scheme shall be carried out in its entirety within 6 months of the commencement of the development or such longer period as may be agreed in writing with the Local Planning Authority.

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 Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

- 6 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any off-site works, have been submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure that the development can be properly drained and to comply with the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

- 7 No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

- 8 Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure the retention of adequate and satisfactory provision of off-street accommodation for

vehicles generated by occupiers of the dwelling and visitors to it, in the interest of safety and the general amenity of the development.

- 9 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Plan – Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 10 During the development any unforeseen contamination found should be notified to the Local Planning Authority and work cease until the extent of the contamination has been investigated and remedial action, which has been agreed in writing with the Local Planning Authority has been completed.

Reason:- To ensure the proposal is developed and completed in a safe manner and to comply with the requirements of the National Planning Policy Framework.

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

Drawing No. 000 Rev. A (Location Plan)
Drawing No. 102 (Proposed Site Sections)
Drawing No. 200 Rev. B (Floor Plans and Elevations Plots 6, 7, 8, 9 and 10)
Drawing No. 201 Rev. C (Floor Plans and Elevations Plots 1 and 2)
Drawing No. 201 Rev. B (Floor Plans and Elevations Plots 3, 4 and 5)
Drawing No. 100 Rev. E (Proposed Site Layout)
Drawing No. 201 13T720-112 Rev. P2 (Proposed External Works)

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

Background Papers:

Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties