

Item Number: 8
Application No: 14/01259/MFUL
Parish: Pickering Town Council
Appn. Type: Full Application Major
Applicant: Persimmon Homes (Yorkshire) Ltd (Mr Robin McGinn)
Proposal: Erection of 12 no. four bedroom dwellings, 27 no. three bedroom dwellings, and 13 no. two bedroom dwellings with associated garaging, parking, amenity areas, public open space, landscaping and formation of vehicular accesses and site roads
Location: Land To Rear Of Firthland Road Pickering North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 19 February 2015
Overall Expiry Date: 17 February 2016
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Sustainable Places Team (Yorkshire Area)	No objections
Environmental Health Officer	Recommend condition
Housing Services	Comments made
North Yorkshire Education Authority	Contributions required
Countryside Officer	No objection - recommend conditions
Tree & Landscape Officer	No objection
Vale Of Pickering Internal Drainage Boards	No objection subject to informative
Flood Risk (Stuart Edwards)	No further comments
Countryside Officer	No further comments
Archaeology Section	Advise scheme of archeological mitigation
Highways North Yorkshire	Recommend conditions
Parish Council	No objections, comments made
Land Use Planning	No objection
Archaeology Section	Recommend conditions
North Yorkshire Police Architectural Liaison Officer	In respect of 'designing out crime', it is still difficult to support this application.

Neighbour responses: Ms Jane Hartley, , Mr Toby Forsdyke, Mr/Mrs Keld, , Dawn Morrison, Mrs S Russell, Mr David Hampshire, Mr John Quinlan, Miss Amanda Fields, Jane, Lily, Miranda Hartley, Mr Richard Kimmings, Ms Rosemary Holt,

1.0 SITE DESCRIPTION

1.1 The application comprises 2.3 hectares of agricultural land on the western side of Pickering. It is situated to the south of Firthlands Road, with existing housing which fronts Firthlands Road forming the northern boundary of the site. These existing dwellings are one and a half stories in height. Access is at the western end of the site, on a parcel of land currently occupied by run down garaging. The north and east of the site is bounded by residential development, with agricultural land to the immediate south and west. Westgate Carr Industrial Estate is situated to the west.

2.0 PROPOSAL

2.1 Full planning permission is sought for the erection of:

- 52 houses comprising:

15 no. 4 bedroom dwellings
28 no. 3 bedroom dwellings
5 no. 2 bedroom dwellings of which two are bungalows

4 no. 1 bedroom flats.

- Vehicular access and site roads
- Public open space including a local area of play. (LAP)
- Landscaping.

A new access will be provided from the western extent of the site. The access will incorporate a landscaped buffer along its eastern boundary. The access is separated from the proposed housing by an existing small holding which is not part of the application site. A pedestrian link will be provided from the development through to Greenlands, which is a residential area to the east. An additional access will also be provided from the north in the location of an existing farm access. However this will be restricted to emergency vehicles only, together with vehicular access to existing garages that adjoin the site and are owned by a neighbouring occupier.

3.0 ENVIRONMENTAL IMPACT ASSESSMENT

3.1 The application was screened in relation to the Environmental Impact Assessment Regulations. It was determined that the proposed development comprised Schedule II development. However taking into account the selection criteria contained within Schedule 3 of the Regulations it was determined that an Environmental Impact Assessment was not required.

4.0 PLANNING POLICY CONTEXT AND DECISION TAKING PRINCIPLES

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that the determination of the application must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the area of Ryedale (not within the North York Moors National Park) consists of:

- The Ryedale Plan – Local Plan Strategy (2013)
- ‘saved’ policies of the Ryedale Local Plan (2002) and the 2002 Proposals Map
- The Yorkshire and Humber Plan (Regional Spatial Strategy), York Green Belt Policies (YH9 and Y1)

Wider legislation places specific statutory duties on planning authorities.

Section 40(1) of the **Natural Environment and Rural Communities Act 2006** (the ‘NERC’ Act), imposes a duty on public authorities in exercising their functions, to have regard to the purpose of conserving biodiversity.

All public bodies are required to comply with the rights and freedoms of the European Convention on Human Rights under the provisions of the **Human Rights Act (1998)**

4.2 Development Plan

None of the remaining saved policies of the Ryedale Local Plan or the Yorkshire and Humber Plan are considered to be relevant to the assessment of this application. It is noted however that the development limits for Pickering are, ‘saved’ through Policy SP1 of the Ryedale Plan-Development Plan Strategy.

The Ryedale Plan – Local Plan Strategy (LPS) , adopted 5th September 2013, provides recently adopted development plan policies which are compliant with national planning policy (the National Planning Policy Framework – NPPF). The current Proposals Map is the 2002 adopted Proposals Map. The LPS contains strategic policies to manage development and growth across Ryedale to 2027. It seeks to integrate the need to address development needs whilst protecting the environment and landscape and securing necessary improvements to services and infrastructure. The Plan directs most new development to the Market Towns and recognises that green field extensions to the Towns will be required to address development needs. It confirms that as part of this strategic approach, Pickering is a local service centre and secondary focus for growth. Of the three Market Towns of Pickering, Kirkbymoorside and Helmsley, the Local Plan Strategy states that Pickering provides the greatest range of shops, services and employment. In view of this the plan states that it is appropriate that Pickering accommodates a higher level of new development than both Kirkbymoorside and Helmsley. The following policies of the Ryedale Plan – Local Plan Strategy are relevant to the assessment of the application:

Ryedale Local Plan Strategy - adopted 5 September 2013 (Ryedale Plan)

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 SP11 - Community Facilities and Services (In respect of public open space)
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 - Renewable and Low Carbon Energy
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

4.3 National Policy Guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

The NPPF provides national planning policy and it is also accompanied by practice guidance. Both are significant material planning considerations.

The NPPF makes it clear that it is the purpose of the planning system to contribute to the achievement of sustainable development. The framework makes it clear that there are three dimensions to sustainable development which give rise to the need for the planning system to perform an economic role, a social role and an environmental role. Para 6 of The Framework states:

6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

The Framework establishes a set of core land-use principles to underpin the planning system within its overarching purpose of contributing to the achievement of sustainable development which include that planning should:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it
- Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources
- Contribute to conserving and enhancing the natural environment and reducing pollution
- Promote mixed use developments
- Conserve heritage assets in a manner appropriate to their significance
- 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
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

4.4 The Presumption in Favour of Sustainable Development

Both the Development Plan and the National Planning Policy Framework include policies which promote a presumption in favour of sustainable development to be applied in the decision making process alongside the legislative requirement that decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 11-16 of the National Planning Policy Framework details how the presumption in favour of sustainable development is to be applied. Paragraph 12 of the NPPF makes it clear that;

“ Proposed development that accords with an up to date Development Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise”.

Paragraph 14 specifically confirms that a presumption in favour of sustainable development is at the heart of the NPPF and should be seen as a golden thread running through plan-making and decision taking. It states that for decision- taking this means (unless material considerations indicate otherwise)

- *“ approving development proposals that accord with the development plan without delay; and*
- *where the development plan is 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 that development should be restricted.”*

Policy SP19 of the Local Plan Strategy is consistent with the above national presumption but makes specific reference to the Local Plan and Neighbourhood Plans; working proactively with applicants and clarifies the application of the second bullet of the national presumption. It states;*“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 of the area.*

Planning applications that accord with the policies in this Local Plan (and where relevant, with policies in Neighbourhood Plans) 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 – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted”*

5.0 APPRAISAL

5.1 The main considerations in relation to this application are:

- The principle of the proposed development.
- Accessibility and sustainability
- Design considerations
- Neighbour impact.
- Highway Considerations including vehicular access, pedestrian, and general highway safety;
- Ecological considerations
- Drainage considerations
- Landscaping
- Archaeology
- Affordable Housing provision;
- Designing out crime;
- Potential ground contamination;
- Public Open Space; and
- Developer contributions.
- Contributors

6.0 Principle of Development

6.1 As detailed above, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The site is not allocated in the development plan for residential development and falls outside the 'saved development limits. The principle of development will be established by taking account of the relevant policies in the development plan, together with all other material considerations.

6.3 Housing Supply

Members will be aware that a number of housing sites that lie outside the 'saved' development limits have been approved in recent years. This was because at the time of their consideration, the Local Planning Authority were unable to demonstrate a deliverable 5 year supply of housing.

Policy SP2 (Delivery and Distribution of new housing) of the Local Plan Strategy commits the authority to the identification and maintenance of a supply of deliverable housing sites sufficient to provide five years worth of housing against the planned annual requirement of 200 homes per annum. The policy also commits to the provision of an additional 20% supply of housing land over the life of the plan (the equivalent of 200 homes over a five year period).

The policy is framed to reflect the requirements of national policy (paragraph 47 of the NPPF) which requires Local Planning Authorities to identify and maintain a five year supply of deliverable housing land with an additional supply buffer to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

The NPPF states (paragraph 49) that housing applications should be considered in the context of the presumption in favour of sustainable development. It makes it clear that if a local planning authority cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of

housing should not be considered up-to-date. Paragraph 14 of the NPPF confirms that for decision making, the presumption in favour of sustainable development means:

- *“approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting 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 this Framework indicate development should be restricted”*

Currently, Ryedale can demonstrate that it has a five year supply of deliverable housing sites. At 31/3/15 a total net supply of 1461 plots with planning permission existed which equates to 7.31 years of housing land supply (based on the planned housing requirement of 200 units per annum). The recent SHLAA Part 1 update (May 2015) illustrates that from this ‘raw’ supply (which equates to a numerical 5 year supply plus an additional 46%), 1173 new homes will be delivered over the next five years. This equates to 5.92 years worth of deliverable housing supply.

Members should be aware that this supply position does not include applications which are approved in principle and which are currently awaiting the completion of Section 106 agreements. In addition, it does not include the supply of housing land allocated in the Helmsley Plan. Members should note however that the ability to demonstrate a five year deliverable supply of housing land is not in itself a reason for the refusal of a planning application. Indeed, development can help to deliver a continuity of supply.

This is relevant in Pickering where there are limited sites with planning permission. It is however considered that the ability to demonstrate a five year deliverable supply has the effect of meaning the immediate need to release a site on the basis of housing land supply is not, in itself, a significant benefit of the application when considering the overall planning balance. In addition it means that the presumption in favour of sustainable development referred to in Paragraph 49 of the National Planning Policy Framework is not engaged. In view of this position, it is considered appropriate to consider the site in relation to other policies in the Ryedale Plan - Local Plan Strategy.

6.4 Location of Development

Policies SP1- (General Location of Development and settlement Hierarchy) of the Local Plan Strategy identifies Malton and Norton as a Primary Focus for Growth. Pickering, Kirkbymoorside and Helmsley are identified as a secondary focus for growth together with a number of identified Service Villages as a tertiary focus for growth. Policy SP2 (Delivery and Distribution of new housing), identifies that at least 3000 new homes will be managed over the period 2012-20127 to this hierarchy of settlements, with 25% directed towards Pickering.

Policies SP1 - General Location of development and Policy SP 2 - Delivery and Distribution of Housing includes the following strategy summary in respect of Pickering:

Pickering

Place/Role

Local Service Centre - Growth to accommodate new homes and local employment opportunities. Centre for tourism and gateway to tourism and recreation opportunities further a field

Approach/Ambitions

- *Support the town’s role as the main Service Centre in northern Ryedale*
- *Housing and employment growth*
- *Provision of limited food retailing within existing Town Centre or sites with existing permission for food retailing*

- *Traffic management measures and sustainable travel initiatives to reduce congestion, impact on the character of the town and enhance the pedestrian experience*
- *New and improved sport and recreation facilities for residents and visitors*
- *Support the towns regional tourism role and support for existing attractions including Beck Isle Museum, Pickering Castle and the North York Moors Railway and events such as the Steam Rally and Wartime Weekend*
- *Support the town's role as a gateway to tourist attractions and recreational activities in the North York Moors National Park, northern Ryedale, including Dalby Forest, the Vale of Pickering and the Coast*

Policy SP2 (Delivery and Distribution of new housing), identifies the sources of new housing that will contribute to the supply of new homes across the District. The part of the policy that relates to delivery in Pickering is as follows:

- Housing Land Allocations in and adjacent to the built up area
- Conversion and redevelopment of Previously Developed Land and buildings within Development Limits
- Replacement dwellings
- Sub-division of existing dwellings
- Infill development (small open sites in an otherwise continually built up frontage)
- 100% Rural Exception Sites outside of and on the edge of Development Limits in line with Policy SP3
- Change of use of tourist accommodation (not including caravans, cabins or chalets) where appropriate

The key contributor to housing supply is:

Housing land allocations in and adjacent to the built up area.

It should be noted that reference to housing land allocations in Policy SP2 is because the anticipated supply of housing is to be made through residential allocations through the Sites Document. Whilst the Site Allocations Document is still at an early stage, and can only be given limited weight at this time, the key strategic locational principle equally applies to speculative proposals in advance of the site allocations reaching an advanced stage.

The Council is preparing the Local Plan Sites Document, and a public consultation on preferred sites has recently taken place. The application site was included as a potential site option for Pickering, and generally performed well. It is closely related to existing housing to the south of Pickering, and from any distant views will be seen in the context of the existing built development. It is well related to enable access to services, schools and employment by foot or bicycle. The applicant has advised that the nearest bus stops are on Greenlands, Firthland Road and Manor Drive, where hourly bus services to the town centre operate. The Coastline bus also provides a regular bus service to other towns including Malton, York, Leeds and Whitby. The supporting information further advises that:

The local area has good provision of services which include Humpty Dumpty Nursery which is within a 5 minute walking distance, St Joseph's Primary School, Pickering Junior School and Lady Lumley Secondary School which are within 10 minute walking distance. Pickering town centre is within 10 minute walking distance where a variety of restaurants, pubs, shops and other services can be found. Pickering medical practice which is the local healthcare facility is also within 10 minute walking distance from the site. The proposed scheme has been designed to encourage use of various transport modes and it includes safe and accessible routes and footpath links to increase connectivity by foot to the local facilities.

The table below includes information submitted by the application to demonstrate the sustainability of the site:

Table 5.1 – Key Trip Attractors by Foot

Trip Attractor	Most Direct Route	Approx Walking Distance (& Time*)
Schools		
Pickering Community Junior School	• Firthland Road – Anchorite Lane – Teal Lane – Middleton Road	800m (10 mins)
St Joseph’s RC Primary School	• Firthland Road – Anchorite Lane – Teal Lane – Swainsea Lane	800m (10 mins)
Lady Lumley’s School	• Firthland Road – Anchorite Lane – Teal Lane – Swainsea Lane	1km (12 mins)
Northern Ryedale Sure Start Children’s Centre	• Firthland Road – Anchorite Lane – A170 Westgate – The Ropery – Potter Hill – Train Lane	1km (12 mins)
Pickering Community & infant Nursery School	• Firthland Road – Goslipgate – A170 Southgate/Hungate – Kirkham Lane	1.4km (18 mins)
Foodstores		
Co-op Food	• Firthland Road – Goslipgate – A170 Southgate – The Ropery – Market Place – Champley Mews	1.1km (14 mins)
Co-op Food	• Firthland Road – Goslipgate – A170 Southgate/Hungate – Eastgate	1.4km (18 mins)
Main Town Centre Bus Area		
• Firthland Road – Anchorite Lane – A170 Westgate – The Ropery		800m (10 mins)
Town centre shops and employment sites – Market Place/Birdgate: (including: banks, travel agents, cafes, butcher, baker, public houses, electrical appliance shops, post office, pharmacy, chemist, newsagent, florist, estate agent, restaurants, greengrocers, independent shops)		
• Firthland Road – Goslipgate – A170 Southgate – The Ropery – Market Place - Birdgate		1.3km (16 mins)
Health		
Pickering Medical Practice	• Firthland Road – Goslipgate – A170 Southgate	800m (10 mins)
North Yorkshire Dental Care	• Firthland Road – Anchorite Lane – A170 Westgate – The Ropery – Potter Hill – Train Lane	1km (12 mins)
Pickering Pharmacy	• Firthland Road – Goslipgate – A170 Southgate – The Ropery – Market Place	1.1km (14 mins)
Pickering Dental Health Practice	• Firthland Road – Goslipgate – A170 Southgate/Hungate	1.1km (14 mins)
Birdgate Dental Practice	• Firthland Road – Goslipgate – A170 Southgate – The Ropery – Market Place - Birdgate	1.3km (16 mins)
Leisure Facilities		
Northern Ryedale Leisure Centre	• Firthland Road – Anchorite Lane – Teal Lane – Swainsea Lane	1km (12 mins)
Ryedale Pool and Pickering Recreation Club	• Firthland Road – Goslipgate – A170 Southgate/Hungate – A169 Malton Road – Mill Lane	1.4km (18 mins)

* Based on an average walking speed of 1 mile per 20 minutes (3mph).

In view of the above, it is considered that the site accords with the spatial and locational criteria in the Ryedale Plan - Local Plan Strategy, and the proposal is not of a scale that would limit other choices in Pickering.

Furthermore it fits with the criteria of the type of site that the Council is looking for. Accordingly, it is considered that the principle of the development of this site is acceptable.

6.5 Type and Mix of Housing

It is considered that the proposed development will provide a mix of house types in accordance with Policy SP4 Type and mix of new housing. Furthermore the development will result in the provision of two bungalows.

7.0 DESIGN

7.1 Policy SP16 design, includes the following requirements;

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
- protect amenity and promote well-being.

The NPPF also recognises the importance of good design, and states:

56 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 places better for people.

The application is accompanied by a Design and Access statement. This makes reference to the historic core of Pickering, but states that;

Viewing the built vernacular in the round, there is little to suggest a dominant built form or style to the area surrounding the site to give a detailed design cue for the scheme. However, despite the varying age and style of the properties the majority are two storey in height with front and rear gardens with more modern properties benefitting from off street parking. The materials palette is equally as mixed with red/brown engineering and buff bricks being the main facing material of choice whilst the older properties have slate roofs, concrete roofs are also prevalent.

Officers acknowledge that the housing immediately around the site lacks any definitive architectural character. Nevertheless it was considered that the plans as originally submitted failed to pick up on the character of dwellings fronting the street with important spacing between them, and in some areas attractive areas of grassland to the frontages. Furthermore, the application includes a new access road which could in the future lead to further housing land. If the development of the submitted site failed to provide an attractive entrance to this site, and potentially further land, this would set a low design parameter from the start. In view of this officers have spent a significant amount of time working with the applicants to seek to improve the relationship of the proposed houses with those in the surrounding area, the layout of the access roads, and the provision of sufficient room for 'meaningful landscaping.

The revised plans include a more traditional road layout with houses better related to it. The house types themselves are standard ones used by Persimmon Homes. However the revised plan includes better spacing between them, and also more traditional detailing. The main access road will have landscaped areas to the western approach together with a row of statement trees. These will continue into the entrance to the housing site itself. Further meaningful landscaping will be provided between plots 49 and 43 Firthlands Road, which includes a footpath from the site. Officers consider that further improvements could be made to spacing between the dwellings. Rows of houses with parking to the front can result in a car dominated environment. Providing more driveways to the side of dwellings would also provide more room for landscaping.

It is also considered that some aspects of the design of the dwellings could be improved. Nevertheless the applicant is not prepared to reduce the density further for viability reasons. In relation to the design, as stated earlier they are the applicants standard house types. However some improvements have been made to the detailing. Given the improvements that have been made to the development as a whole, in particular in relation to the road layout the landscaping overall, it is considered that the proposal is acceptable in terms of its design approach and that a refusal on these grounds could not be sustained.

8.0 NEIGHBOUR IMPACT

8.1 The nearest neighbours to the site are the row of dwellings that form the northern boundary of the site. Houses to the eastern boundary are predominantly separated by an existing area of public open space. A detached dwelling, Long Acres is also situated between the proposed housing and the access road.

8.2 Officers had significant concerns regarding the initial plans submitted. This was because the layout included an almost continuous row of housing which would have few breaks in it. Officers considered that this layout would have resulted in an over bearing presence for existing occupiers. This is in particular because the existing houses on Firthland Road are one and a half storey. The revised plan has broken up the row of houses to provide some gaps in the block length. Concerns were also raised in relation to the location of the open space which was situated to the rear of plots 49 to 57 Firthland Road. This could have resulted in disturbance by virtue of general noise activity and the possibility of ball games against the common boundary. The public open space has been deleted from this area, and a larger landscaped boundary provided near to the footpath. Two detached dwellings have now been located to the rear of plots 49 to 55 Firthland Road. The separation distance between the existing and proposed houses in this area ranges between 22m and 24m. Plots 20 and 21 are 21m to the rear of 57 to 61 Firthland Road. The proposed dwellings are however, single storey. The separation distance to the rear of 65 to 67, and 77 to 79 Firthland Road is 25m. These are two storey dwellings. Plots 11 to 16 are a minimum of 25 from the rear of 69 to 75 Firthland Road. These dwellings are two and a half storey high, with a ridge height of 9.7m. Four parking spaces will be provided to the rear albeit separated from the common boundary by 4m. Whilst space standards between dwellings no longer apply it is commonly accepted that a separation of 18m to 20m between directly facing bedroom windows is acceptable. All the distances shown are in excess of this guidance. Officers have taken account of the small scale of the existing dwellings, and also the significant height of plots 11 to 16. They have also considered the orientation of the site in relation to existing dwellings. However, it is considered that the distances are within accepted tolerances. Equally, plots 7 and 8 are in excess of 35m from the existing dwelling to the west of the site, Long Acres. The separation between 41 and 43 Firthland are also considered acceptable. The existing houses on Greenlands have a separation from the proposed houses by an area of existing open space. Due to the shape of the open space, 6 and 10 Greenlands are the closest to the proposed dwellings. However it is again considered that the distances are in excess of accepted distances.

8.3 It is considered that there will be some impact on dwellings elsewhere due to the increase in traffic associated with the development. This will in particular be in relation to those houses directly opposite the proposed access. However the site is located within a primarily residential area, and there will be some visual improvements as a result of the removal of the unkempt garages and proposed landscaping.

8.4 There is no doubt that the development will have some impact on the exiting amenities of neighbouring occupiers, however it is not considered that the impact is sufficient to warrant refusal of the application on that basis.

9.0 AFFORDABLE HOUSING PROVISION

9.1 Policy SP3 - Affordable Housing- states that where local need exists, the Local Planning Authority will seek the provision of new affordable homes. The requirement on this site is 35 per cent. the scheme will provide 18 affordable homes comprising:

4 no. 1 bedroom flats
8 no. 2 bedroom semi detached and;
6 no. 3 bedroom terrace houses.

The remaining 0.2 of a dwelling would be made in the form of a contribution.

9.2 The affordable housing provision will comprise 10% intermediate, and 90% rented. The Councils' Affordable Housing Officer expressed concerns regarding the floor area of the proposed one bedroom flats, which are approximately 35m². This is below the 50m² space standards recommended by most registered providers, the 3 bedroom dwelling is also below recommended sizes. The applicant has however advised that they have built the same size properties in Easingwold where they have been taken on by Broadacres.

On going discussions are being carried out with the Council's Affordable Housing Officer and the applicant regarding this matter. It is hoped to update members at the meeting.

10.0 HIGHWAY CONSIDERATIONS

10.1 The layout includes the provision of a new access at the western extent of the site, running along the southern extent of the proposed housing. The entrance is separated from the proposed housing by a detached house set back from the road. A large landscaped area will be provided adjacent to the access road. An emergency vehicle access will be provided at the eastern end of the site, which will also incorporate a footpath in a landscaped setting. A pedestrian link will also connect the south eastern corner of the application site with Greenlands Road.

10.2 North Yorkshire Highways have been consulted on the application. In relation to the original plans they advised:

1. The section of Firthland Road onto which the proposed estate road access is to be formed has a long standing issue with on-street parking, due to the adjacent properties having no on-site provision. With the loss of the adjacent garaging this is unlikely to improve. Given that the carriageway only has an effective width of 3.5 metres due to the parked vehicles, I would expect that the developer improve this section of highway to ensure two-way traffic can be accommodated for all vehicles, and as the new estate road is proposed at 6 metres wide, this width would be expected here.

2. I have concern over the parking provision shown, with many of the two and three bedroom properties having a single on-site parking space, the likelihood is that this will lead to on-street parking. The applicant is no doubt aware that Governmental advice contained in Planning Practice Guidance urges local planning authorities seek to ensure parking provision appropriate to the needs of the development that would not lead to congested streets. Given the widths proposed I am of the opinion this may well give rise to such a problem and the parking allocation should therefore be looked at more favourably. 3. The proposed layout does not provide any measures to ensure traffic speeds are kept to the recognised 20mph within the site, especially on the approach road.

4. Section 4.18 of the Planning Statement mentions a submitted Travel Plan, but it does not appear to be included with the documents available on-line. Similarly, it mentions public transport enhancements, but no further information or commitment on the part of the applicant has been mentioned, and these should be brought forward for consideration.

10.3 Negotiations were carried out with the applicant in response to these comments. This in particular included better parking provision. In view of this North Yorkshire Highways responded as below:

Re. Revised plans (Drawing Nos. 687/001 Rev. C; R/1751/1; 687/003 and various house plans) as notified by letter from Ryedale DC dated 3 August 2015.

Some of the parking allocation for the 4 bedroom properties would appear to be too tight.

Provision should be made for 3 spaces each, all clear of the proposed adoptable estate road and/or private shared driveway, and still enable pedestrian access via the property doors. Plots 22, 23, 24, 28, 39, 41 and 48.

The link off the estate road back to Firthland Road needs to be modified to keep pedestrian/cyclists clear of the existing vehicular access to the garages. Appropriate restraints will be required to prevent through use by vehicular traffic, and similarly between the two proposed culs-de-sac and footway link into Greenlands Road.

The landscaping plan does not identify the whereabouts of the species. For the main spine road, it is recommended that the verge width be increased to six metres to permit a more varied, hardwood tree species that would mature well. This could be achieved on both sides up to where the housing is located, and continued along the south side if desired. This principle of this arrangement could also be brought in along future sections of the spine road at the time of any scheme coming forward. The remaining three metre-wide verges can be planted with trees, but the species allowed would be limited.

The developer is advised to refer to Appendix H of the NYCC Residential Highway Design Guide. Some traffic calming features would need to be designed for the spine road along the 'open' section. These may not necessarily be vertical restraints.

*The off-site changes to accommodate parking arrangements on Firthland Road opposite the site are noted. During the construction period, it is expected that a traffic management plan be prepared and implemented that covers routes and timings of site / delivery traffic. This is likely to involve a one-way arrival and departure system, and **may** need to include introducing **temporary** waiting restrictions along certain short lengths of the immediate highway network, in order to ensure traffic is able to pass along the highway safely and satisfactorily.*

Subject to receiving amended plans that satisfactorily clarify the on-site parking, safeguarding the footway links and verge landscaping arrangements, no highway authority objections are raised in principle to the proposed development, and conditions are recommended.

10.4 Letters of objection from neighbouring occupiers have raised concerns regarding the capacity of the surrounding roads. This is also referred to in the response from Pickering town Council. The highway aspect of their response states:

The Council asks that consideration is given to improving traffic flow along Manor Rive and Firthland Road. The new development, during construction and upon completion, will generate additional traffic movement. Manor Drive is now a single lane thoroughfare (because of parking on the west side of the road) and drivers along Firthland Road have to negotiate higgledy-piggledy parking on the north side of the road. Anchorite Lane where it meets the A170 is a junction where drivers have to take the greatest care. Negotiating these roads becomes even more demanding when traffic is backed up along Westgate from the traffic lights as some drivers, travelling eastwards, who do not want to be unduly delayed, will leave the A170 at Manor Drive, travel along Firthland Road and return to the end of Vivis Lane, thereby creating additional traffic movement along roads already difficult to negotiate.

North Yorkshire Highways have taken account of the capacity of the road system, and have not objected to the development on that basis. Clarification of their views in response to the comments of the Town Council have been sought, and Members will be updated at their meeting. In relation to comments of neighbouring occupiers regarding pedestrian crossing of Firthlands Road. North Yorkshire County Council - Highways have made the following response:

I've looked on site regarding the objection letter on the matter of the crossing of Firthland Road, and do not consider that the amount of traffic v. pedestrians crossing there at school times will be raised to such a level as to be detrimental to highway safety.

For example, a check done on the afternoon of 13 January 2016 saw only 3 pedestrians cross Firthland Road to the west of Anchorite Lane over a 45-minute period (15.40 to 16.25), during which time 55 vehicles passed this point in both directions (i.e. an average of 1 vehicle every 41 seconds).

However, it would not be unreasonable to request that the applicant install 2 no. SLOW road markings on red anti-skid patches on the approaches to the bend/junction with Anchorite Lane as a low cost outlay to give additional awareness to drivers at that point. The SLOW marking should be positioned in the middle of the carriageway, so to still be visible if a parked vehicle was over the side of the patch.

10.5 In relation to the proposed parking, the revised plans have now resulted in most dwellings having a minimum of two parking spaces off road. A number of dwellings also have a garage. The exception are Plots 17 and 18 which are two bedroomed and have one space each. Plots 34 to 37 are one bedroom flats, and again have one parking space each.

It is of note however that the site provision on the site accords with the North Yorkshire County Council Interim Guidance on parking standards and travel plans 2015.

11.0 LANDSCAPING

11.1 The Ryedale Plan - Local Plan Strategy in policy SP12 Heritage requires that distinctive elements of Ryedale's historic environment will be conserved and where appropriate enhanced. This includes:

- *The network of historic field systems across the District and in particular, the historic field patterns around Pickering and other settlements on the northern side of the Vale of Pickering.*

The site lies at the southern edge of Pickering where there is evidence of historic field patterns. Nevertheless, the fields covered by the application site are not intact, and have lost some of their original hedges. In addition the western edge of the site is truncated and has lost its historic character. The site is also surrounded to the west and east by existing development and has a more urban feel to it. Accordingly, it is not considered that the loss of the application site would result in **the loss of important historic fields.**

11.2 In relation to the landscaping of the site itself, concern was raised by officers that the application as submitted left little opportunity for any meaningful landscaping either within the site, or along the boundaries. This was in part due to the lack of spacing between dwellings and also the proliferation of parking to the front of dwellings. The revised plans have resulted in a significant improvement to the plans. Whilst the layout still includes areas where parking will dominate the streetscene, further planting has been provided elsewhere. Of particular note is the provision of mature trees along the main access to the site, and the landscaped areas around the emergency access/pedestrian access. Hedges have also been provided where possible to front gardens. It is considered that subject to appropriate condition, the landscaping proposed is acceptable.

11.3 The Town Council has queried future maintenance of landscaped areas, and verges. The applicant has advised that a management company will take charge of the Public open space and landscaping on site. In relation to verges, the applicant has advised that they are working with the Highway Authority in order to get the grass verges along the roads adopted. Taking on board the comments of the Town Council this aspect will be discussed further with the applicant, to ascertain if the landscaping along the new road can be 'classed' as public open space and subject to maintenance by the management company.

12.0 PUBLIC OPEN SPACE

12.1 The application triggers a requirement for Public Open Space provision on site. This is in the form of a Local Area of Play. Contributions will also be required equivalent to 0.2 hectares for outdoor sports. This will be subject to a Section 106 agreement.

The Town Council has advised that a play area adjoins the site which has limited equipment on. They stated that with a new estate, additional equipment will be required. It is considered that the LAP is necessary to serve the application site itself.

13.0 ECOLOGY

13.1 The application is accompanied by an ecological appraisal. This states that the site will have no adverse effects on any statutorily designated sites or indeed non statutory designated sites. None of the hedgerows are classified as important, and the grassland within the site is species poor, and of a type that are of widespread and common occurrence. One tree contains a single feature suitable for use by roosting bats, and therefore the retention of the tree is recommended. Further bat roost surveys will be required if the tree is to be removed. Reference is made to owls nesting in one of the buildings, whilst the building is not located on this part of the site, it could be affected by the development.

The Councils' Countryside Management Officer has been consulted on the application, and has recommended that the following conditions be imposed:

13.2 Biodiversity method statement - Condition

No development shall take place until a method statement for the creation of new wildlife features had been submitted to and approved by the local planning authority. The content of the method statement shall include the following:-

- a) Purpose and objectives for proposed works
- b) Detailed designs/working methods necessary to achieve stated objectives
- c) Extent and location of proposed works
- d) Timetable for implementation
- e) Persons responsible for implementation
- f) Initial aftercare and long term maintenance.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner.

Protection of breeding birds during construction - Condition

No removal of hedgerows, trees or shrubs shall take place between 1st of March and 31st of August inclusive, unless a competent ecologists has undertaken a careful, detailed check of vegetation for active birds nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Condition - Immediate pre-development Barn Owl re-survey

No building and construction work shall be commenced unless evidence has been provided to the Local Planning Authority that no birds are nesting (at the development site to which this consent applies) immediately prior to work commencing.

Reason: to ensure that nesting Barn Owls are not disturbed by development works and to enable the Local Authority to fulfil its obligation under Section 25 (1) of the Wildlife & Countryside Act (1981).

Condition - Permanent provision within buildings

A permanent accessible nesting space for Barn Owls shall be provided within one or more of the developed buildings to which this consent applies, and thereafter maintained, in accordance with details that shall have first been submitted to, and approved in writing by, the Local Planning Authority, and in line with natural England guidance.

Reason: to secure the long-term protection of the species

14.0 ARCHAEOLOGY

14.1 During consultation on the application, the County Archaeologist advised that the development lies within an area of high potential for the presence of archaeological remains relating to settlement and burial activity dating from the prehistoric and Roman periods. The area lies at the interface between the Tabular Hills and the wetlands of the Vale of Pickering. In view of this a geophysical survey together with trial trenching was required.

14.2 The recommended work was carried out by the applicants, which included 11 trenches. Four of the eleven trenches contained archaeological features which pre-dated the medieval ridge and furrow. These features provided evidence for the survival of significant archaeological remains relating to an Iron Age/Romano British system of ditches, enclosures and settlement. Therefore there is high potential for the ground disturbing works associated with the development to encounter further significant archaeological remains. It is therefore recommended that a scheme of archaeological mitigation recording is undertaken. In order to secure such a scheme, it is recommended that an appropriate condition be imposed.

15.0 DRAINAGE

15.1 The site lies within Flood Zone 1, and as such is not at risk of flooding. In relation to drainage, foul drainage will connect to the existing system on Firthland Road, and surface water will discharge to soakaways. The applicant has advised that the ground conditions are suitable. Yorkshire Water has not objected to the proposal. The Environment Agency has not objected subject to the development being carried out in accordance with the submitted Flood Risk Assessment. The Internal Drainage Board have been consulted and advised that they do not object. However if there is a change from the use of soakaways it may be necessary to make a commuted sum payment to upgrade the local ditch network.

16.0 NOISE

16.1 The site is situated to the east of the industrial estate on Westgate Carr Road. In view of potential noise associated with it, the applicants carried out a noise survey. The Councils' Environmental Health Officer expressed concerns regarding the original details, and requested that further survey work be carried out. Furthermore no mitigation was proposed. She has advised that complaints have been received by existing residents in the area in relation to noise from the industrial estate. It is important that new residential developments close to industrial sites do not result in complaints that would ultimately harm the existing business or result in an unacceptable residential environment. Detailed negotiations have been carried out with the applicant, and the latest plans include a landscape buffer on land to the extreme west of the proposed housing. This has been modelled, to take account of the various noises sources and the Councils' Environmental Health has confirmed that the mitigation proposed is acceptable

17.0 LAND CONTAMINATION

17.1 A preliminary geo-environmental investigation of the site was carried out, which included a wider area of land. The report found that there were some potential sources of contamination on the site. This could have been as a result of a small back filled quarry. It is therefore recommended that if permission be granted, it be subject to a condition requiring a phase 2 investigation.

18.0 REPRESENTATIONS

18.1 13 letters have been received in relation to the application. The letters are available for Members to view on the Councils' public access system. The following is however a list of the main points made:

objection	
Access and Parking	<ul style="list-style-type: none"> ☒ Access too near Anchorite Lane. Parking on Firthlands Road makes access difficult ☒ Parking provision not acceptable ☒ Additional traffic will cause problems, and the site is too far from amenities ☒ Transport assessment not adequate
Response	<p>The Highway Authority has been consulted on all aspects of the application process. They have requested changes which have been incorporated. The parking provision complies with North Yorkshire County Council standards . See section 10.0</p>
Emergency access/pedestrian link	Numbers 41 and 43 Firthland Road have access to their rear garages. What will stop motor bikes or cars using it ?
response	The access is for emergency vehicles only, and can be signed and bollarded as required near the entrance to the housing. The access to the garages is maintained
Social Housing	The social housing is all together and not spread through the site.
Response	12 houses are located together, but directly opposite market housing, and with market housing to either side. A further 6 houses are situated further along the access road. It is considered that the spread and mix of houses together is acceptable.
Neighbour amenity	Including overlooking, increased risk of access to neighbours property, noise and light pollution,, impact on house prices. Particular concern regarding height of 2.5 storey houses to rear of those on Firthland.
Response	Development inevitably increases activity. However the site is in a predominately existing residential area, and the distances between dwellings complies with accepted standards. House prices are not a planning consideration. Neighbour impact is addressed in section 8.0 of this response. Officers agree that the 2.5 storey dwellings are high and sought to re-locate them. The applicants contend that this is the only location they will work as a layout. Given the distance from the dwellings on Firthlands Road it is not considered that the development can be refused on neighbour impact grounds.
Insufficient services	E.g. lack of dentists/ doctors, schools, child care
Response	In relation to schools, County Education have requested contributions towards Pickering junior school. During work on the Ryedale Plan - Local Plan Strategy, there was no evidence of a shortfall in provision, however retention of GP's goes beyond what can be considered through this application.
Landscape and impact on wildlife	High density houses will have a devastating impact on wildlife and attractive open countryside.
Response	The application is accompanied by an ecological survey. This has been addressed in section 13 of the report.
Public open space	Development will deliver insufficient open space
Response	The POS accords with policy, and will also provide significant landscaping on the entrance to the site. Contributions will also be required.
Is there a need?	Not aware of increase in jobs

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties