



LAND, PLANNING AND DEVELOPMENT CONSULTANTS

**Design and Access and
Supporting Planning Statement
For
Erection of Two Dwellings
at
Land To The Rear Of Park View
Finkle Street
Sheriff Hutton
York
for
Mrs Haq**

23.02.16

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Contents

1.0 Introduction

2.0 Site Description and Background

3.0 Design and Access Assessment

4.0 Planning History

5.0 Application Proposal

6.0 Planning Policy Context

7.0 Key Issues

8.0 Conclusion

1.0 Introduction

- 1.1 This document is submitted in support of a resubmission of a Detailed Planning Application for the erection of 2No. dwellings at land to the rear of Park View, Finkle Street, Sheriff Hutton, York, North Yorkshire following an application ref 15/00956/FUL for 3 dwellings, which was withdrawn in October 2015 as a result of Officer's concerns in respect of the number of dwellings and the impact the associated vehicle movements would have on the amenity of the adjoining neighbours. Further concerns have since been expressed by Officers in respect of the 'backland' nature of the proposal. We submit that this latest proposal will address all the above concerns.
- 1.2 The Town and Country Planning (General Development Procedure) Order 2006 specifically requires applications of this type to be accompanied by a Design and Access Statement to aid the local planning authority's consideration of the proposal. The purpose of this part of the application submission is therefore to provide an assessment and evaluation of the site and proposal along with a review and evaluation of relevant planning policy, giving due consideration to all material planning considerations.

2.0 Site Location and Description

- 2.1 The site is located to the north of Finkle Street, Sheriff Hutton to the rear of the properties Park View and Meadowcroft and comprises a grass paddock. (See Fig. 1 below). The land extends to some 0.29 Ha (0.71659 acres) and access will be taken to the west of Park View.
- 2.2 The site is bounded on all sides by residential development.



3.0 Design and Access Assessment

3.1 Use

3.1.1 The proposed use is for residential development of two, two storey dwellings located within the defined development limit for Sheriff Hutton as defined in the Ryedale Local Plan.

3.1.2 Sheriff Hutton is identified as being a 'Local Service Centre (Service Village) Town' in The Ryedale Plan – Local Plan Strategy under Policy SP1 which allows for '*Limited small-scale growth to address employment, housing and community requirements*'. In the light of this we submit that the site for three dwellings is therefore considered to be acceptable.

3.2 Access

3.2.1 Public transport within the village is provided by regular buses to York and beyond. The village has a primary school, 2No public houses, post office/shop, and a garage and also has its own industrial estate to the south which provides a number of job opportunities.

3.2.2 The access to the site is to be via a private drive to the west of Park View, Finkle Street.

3.3 Amount

3.3.1 The proposal is for the erection of two detached four bedroom two storey dwellings.

3.4 Scale

3.4.1 The existing development adjacent to the site comprises a mix of one and two storey properties in varying designs. The proposed dwellings being of two storeys are considered to be of an appropriate scale for the site.

3.5 Appearance

3.5.1 The proposed dwellings are to be two storey and will be of traditional design. The dwellings will be constructed in suitable construction materials i.e. brick and pantiles all of which will be controlled by appropriate planning conditions.

3.4 Layout

3.4.1 The layout of the proposed dwellings is we submit appropriately designed to suit the locality.

3.6 Landscaping

3.6.1 An appropriate landscaping scheme would be submitted as part of any required planning condition using native species and planting.

4.0 Application Proposal

4.1 The proposal is for 2No, two storey dwellings on land to the rear of Park View, Finkle Street Sheriff Hutton. (See Drawing Proposed Layout submitted with the application) and access will be taken via a new private driveway from Finkle Street to the south of the site.

5.0 The Planning Policy Context

- 5.1 The main issue in respect of the proposal is whether the principle of development is acceptable from a planning standpoint and to determine this we turn to the Planning Acts.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". The development plan for the Ryedale District comprises the policies in The Ryedale Plan – Local Plan Strategy (adopted on 5th September 2013).

Its relevant policies are as follows:-

- 5.3 The Ryedale Plan – Local Plan Strategy 2013
Policy SP1 - General Location of Development and Settlement Hierarchy
Policy SP2 - Delivery and Distribution of New Housing
Policy SP3 - Affordable Housing
Policy SP4 - Type and Mix of New Housing
Policy SP11 - Community Facilities and Services Provision
Policy SP16 - Design
Policy SP19 - Presumption in Favour of Sustainable Development
Policy SP20 - Generic Development Management Issues
- 5.4 National Planning Policy Framework
- 5.4.1 The relevant paragraphs and references are:
Paragraphs 11-16 Presumption in Favour of Sustainable Development Ministerial Forward
Paragraph 17 Core Planning Principles
Paragraph 39 Promoting Sustainable Transporting
Paragraphs 47, 49, 50 Delivering a wide choice of High Quality Homes
Paragraphs 56, 60, 61 and 65 Requiring Good Design
Paragraphs 94 and 95 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Paragraphs 109 - 125 Conserving and Enhancing the Natural Environment
Paragraph 159 Plan Making
Paragraphs 187, 196 and 197 Decision-Taking

6. Key Issues

- 6.1 The key issues to be taken into account when assessing this proposal are:
1. Sustainable Development
 2. Principle of Residential Development
 3. Siting, Scale, Design and Effect Upon the Character of the Area
 4. Impact on the Residential Amenity of the Adjoining Neighbours
 5. Highway Safety
 6. Drainage and Flood Risk
 7. Affordable Housing
 8. Public Open Space
 9. Impact on Nature Conservation and Protected Species
 10. Archaeology
 11. Community Infrastructure Levy (CIL)

To take each in turn.

6.1.1 Sustainable Development

A number of references are made to the presumption in favour of sustainable development in the NPPF.

In the Ministerial Forward it states that:-

'Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.'

and at Paragraph 14 states:-

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.'

For plan-making this means that:

●● local planning authorities should positively seek opportunities to meet the development needs of their area;

●● Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, 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.⁹

For decision-taking this means:¹⁰

●● 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.⁹

(Our emphasis)

Footnote 9

For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

Footnote 10.

Unless material considerations indicate otherwise.'

6.1.2 At paragraph 17 under the heading 'Core Planning Principles' the document sets out 12 planning principles of which the following is particularly relevant namely:-

'...proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area...'

(Our emphasis)

6.1.3 In addition, at paragraph 49 it states that:-

'49. Housing applications should be considered in the context of the presumption in favour of sustainable development...')

6.1.4 The document continues a paragraph 50:-

'50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: ●●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, families with children, older people, people with disabilities,...)'

(Our emphasis)

6.1.5 Paragraph 50 is reinforced at paragraph 159 under the heading 'Plan Making – Housing' where it states:-

'159. Local planning authorities should have a clear understanding of housing needs in their area. They should:

.....—addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and

—caters for housing demand and the scale of housing supply necessary to meet this demand;...'

(Our emphasis)

6.1.6 We find further support for the proposal at paragraph 187 which states:-

'187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.'

(Our emphasis)

6.1.7 and at paragraph 197 under the heading 'Determining applications we find further support as follows:-

'197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.'

(Our emphasis)

6.1.8 In The Ryedale Plan – Local Plan Strategy at Paragraph 1.2 of the Introduction to the plan states:-

'1.2 The purpose of the Ryedale Plan is to encourage new development and to manage future growth whilst ensuring that change across the District is based on a presumption in favour of sustainable development.'

(Our emphasis)

and at Section 3 Aspirations and Strategy it states:-

'Service Villages

Local Service Centres – Limited small-scale growth to address employment, housing and community requirements.'

(Our emphasis)

6.1.9 Further policy support is found at Policy SP19 'Presumption in Favour of Sustainable Development' which 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 in 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.'

6.2 The Principle of Residential Development

6.2.1 The NPPF under the heading 'Delivering a wide choice of high quality homes' the document states at paragraph 47 that:-

'47. To boost significantly the supply of housing, local planning authorities should:

●●use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

●●identify and update annually a supply of specific deliverable¹¹ sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

●●identify a supply of specific, developable¹² sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

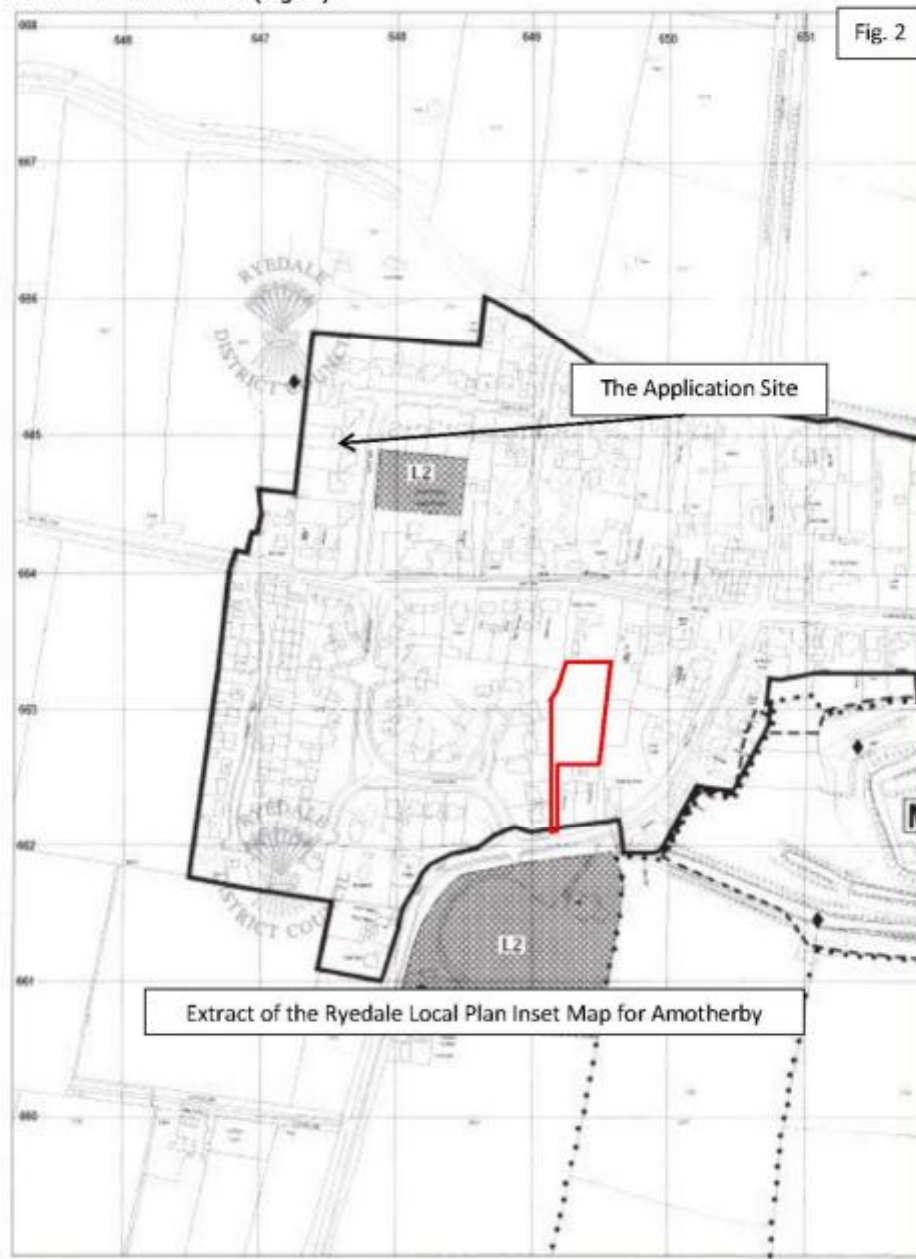
¹¹ To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.

¹² To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.'

(Our emphasis)

6.2.2 Until only recently the Council did not have a demonstrable 5-year supply of housing sites, but their latest assessment now shows that this has now been achieved. However, we would submit that they will need to continue to grant planning permissions to maintain this position and as such this ways in favour of this proposal.

6.2.3 The site lies within the current Development Limit as shown on the Ryedale Local Plan Inset Plan for Sheriff Hutton (Fig. 2).



6.2.4 Furthermore, Sheriff Hutton has been identified as a 'Local Service Centre' (Service Village) in the Council's Ryedale Plan Core Strategy which was adopted on 5th September 2013 by the Council.

6.2.5 Turning to The Ryedale Plan – Local Plan Strategy already referred to above we find support at Section 3 of the Plan where under its Aspirations and Strategy - Strategy Summary it states:-

'SECTION 3 – ASPIRATIONS AND STRATEGY

The Ryedale Plan – Local Plan Strategy

Place / Role

Service Villages

Service Villages

Local Service Centres –

*Limited small-scale growth to
address employment, housing
and*

Approach and Ambitions

- Limited small-scale housing growth*
- Protecting and enhancing local community facilities*
- Support the delivery of projects identified within local Parish Plans'*

(Our emphasis)

6.2.6 We submit as we will show later, that the development will meet the requirements of the above strategy.

6.2.7 At Policy SP1 under the heading General Location of Development and Settlement Hierarchy where it states that:-

'SP 1 General Location of Development and Settlement Hierarchy

Ryedale's future development requirements will be distributed and accommodated on the basis of the following hierarchy of settlements:

Principal Town - Primary Focus for Growth

- Malton and Norton (including Old Malton*)*

Local Service Centres (Market Towns) – Secondary Focus for Growth

- Pickering*
- Kirkbymoorside*
- Helmsley*

Local Service Centres (Service Villages)- Tertiary Focus for Growth

- Amotherby and Swinton;*
- Ampleforth;*
- Beadlam and Nawton;*
- Hovingham;*
- Rillington;*
- Sherburn;*
- Sheriff Hutton;*
- Slingsby;*
- Staxton and Willerby;*
- Thornton le Dale....'*

(Our emphasis)

6.2.8 Policy SP2 also supports the proposal as under the heading 'Delivery and Distribution of New Housing' states that:-

'SP2 Delivery and Distribution of new housing

The delivery of at least 3000 (net) new homes will be managed over the period 2012-2027. The sources of new housing that will contribute to the supply of new homes across the District are as follows:

Malton and Norton

- 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*

*Pickering, Kirkbymoorside,
Helmsley, Service Villages*

- *As above*
- *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....*

New housing land allocations will be distributed in accordance with the table below and will be made having taken account of the outstanding commitments at each location at the point at which the Local Plan Sites Document is prepared.....

Service Villages

300 (10%) Limited small - scale sites in or adjacent to current Development Limits. Sites to be distributed as far as possible, amongst all villages in the category'

(Our emphasis)

6.2.9 and at paragraph 4.34 under the heading Type and Mix of New Housing the plan states:-

'4.34 The provision of an appropriate mix and choice of new housing is central to the objective of creating sustainable and balanced communities. The District will need to ensure a range and choice of market housing is provided to respond to changing demographics and market drivers.'

(Our emphasis)

6.2.10 The Plan continues at Policy SP4:-

'SP 4 Type and mix of new housing

Increased housing choice and high quality housing will be provided through :

· New housing development

- *The re-use of empty properties*
- *Improvements and adaptations to existing homes*

New housing sites in Ryedale will provide increased housing choice and contribute to the provision of a balanced housing stock.'

(Our emphasis)

6.2.11 We submit that as Sheriff Hutton is identified as a 'Local Service Centre (Service Village)', that it is suitable for accommodating additional housing growth and that site at Finkle Street will assist in satisfying the housing requirements of Sheriff Hutton and as it is appropriately located within the current development limit of the village it can be developed without detriment to the character of the village.

6.1.12 In the light of the above we submit therefore that the principle of development is acceptable and therefore satisfies the policies of the Ryedale Local Plan, Ryedale and Plan and the advice contained in NPPF.

6.1.13 In addition a Pre Planning Application Enquiry has been made of the Council and this concluded that:-

'The principle of housing in this location is therefore supported by policy SP1 (General Location and Settlement Hierarchy); furthermore the site is within the Development Limits of Sheriff Hutton so meets the tests of Policy SP2 (Delivery and Distribution of New Housing).'

6.1.14 However, following the withdrawal of the previous application and in further pre application discussions, Officer's have expressed their concerns regarding the 'backland development' nature of the proposal *'which is not expressly supported by Policy SP2 of the Local Plan Strategy'*. It is therefore prudent to address this concern at this point.

6.1.15 We submit that as Officer's state that whilst Policy SP2 does not expressly support 'backland' development, on the contrary neither does it resist such development. Moreover, the nature and grain of development in Sheriff Hutton is of a considerable mix and particularly includes a number of recent 'backland' developments most notably at The Garage, New Lane, Sheriff Hutton, where planning permission was granted under Officer Delegated Powers for three dwellings under ref 11/01243/FUL dated 16th February 2012. Indeed, Officer's in their report stated:-

'Whilst development in depth is not the most traditional form of development in the area, there are examples nearby of development in depth on West End, with one and two property developments. Furthermore, Sheriff Hutton is a Service Village in the published Ryedale Plan. Therefore, it can be classed as a sustainable settlement that can accommodate future growth in terms of infill housing.'

6.1.16 In the light of the above, whilst the proposed scheme can be considered to be in a 'backland' location, it can be considered by virtue of other decisions within the immediate area, and based on the impact upon the form and character of the area, together with the general presumption in favour of sustainable development contained within Policy SP19, to be acceptable in principle. It is therefore not in conflict with Policies SP2 and SP19 of the Ryedale Plan Core Strategy.

6.3 Siting, Scale, Design and Effect Upon the Character of the Area

6.3.1 Policy SP16-Design of The Ryedale Plan – Local Plan Strategy states:-

'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*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- Topography and landform that shape the form and structure of settlements in the landscape*
- The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks. The medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale*
- The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings*
- The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated*

as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement

· Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures

· The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail

The design of new development will also be expected to:

· Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space

· Contribute to a safe and well connected public realm by respecting and incorporating routes, buildings and views which create local identity and assist orientation and wayfinding; creating public spaces which are safe and easy to use and move through by all members of the community; facilitating access by sustainable modes of travel including public transport, cycling and walking

· Reduce crime and the fear of crime through the careful design of buildings and spaces

· Provide, where appropriate, active and interesting public frontages, clearly defined public spaces and secure private spaces

· Make efficient use of land and to be built at a density which is appropriate to its surrounding context. In general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of the surrounding context

· Proposals for major development will be expected to include a statement identifying the waste implications of the development and measures taken to minimise and manage waste generated

6.3.2 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

Character

New development will respect the character and context of the immediate locality and the wider landscape/townscape character in terms of physical features and the type and variety of existing uses proposed uses and activity will be compatible with the existing ambience of the immediate locality and the surrounding area and with neighbouring land uses and would not prejudice the continued operation of existing neighbouring land uses

The cumulative impact of new development on the character of an area will also be considered

Design

The design of new development will follow the principles established in Policy SP16. Extensions or alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in terms of scale, form, and use of materials

Amenity and Safety

New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance

All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess the risks/ potential risks posed by contamination in accordance with recognised national and international standards and guidance'

- 6.3.3 We submit that the proposal meets all the requirements of the above criteria and some weight should be attached to these policies as they are broadly consistent with the aims of the NPPF.
- 6.3.4 The NPPF paragraph 56 states 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.
- 6.3.5 Paragraphs 60, 61 and 65 of the NPPF make it clear that decisions should not attempt to impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles, should address the connections between people and places and the integration of new development into the natural, built and historic environment and proposals should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.
- 6.3.6 We believe that the proposed scheme is considered not to have a detrimental adverse effect on the character and form of the area by virtue of its design, layout, scale, external appearance and landscaping. We submit that the proposed scheme therefore complies with and policies SP16 and 20 of The Ryedale Plan – Local Plan Strategy and advice given in NPPF.

6.4 Impact on the Residential Amenity of the Adjoining Neighbours

- 6.4.1 One of the core planning principles set out in Paragraph 12 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.
- 6.4.2 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

.....'Amenity and Safety

New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence'

- 6.4.3 Adequate standoff distances will be achieved in respect of the dwellings with no overlooking issues. The proposed development is therefore considered not to cause a significant detrimental impact on the residential amenities of the neighbouring properties in accordance with Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan and the NPPF.

6.5 Highway Safety

- 6.5.1 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

'Access, Parking and Servicing

Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads'

- 6.5.2 These Local Plan policies should be afforded weight as they are broadly consistent with the aims of the NPPF.
- 6.5.3 In addition with respect to parking, paragraph 39 of the NPPF states that when setting local parking standards for residential and non-residential development, local planning authorities should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high emission vehicles.
- 6.5.4 The dwellings would be served from a proposed driveway to the south of the site which and adequate parking provision has also been provided for within the site.
- 6.5.5 As part of the Pre Planning Application Enquiry discussion were held with North Yorkshire Council Highway Officers in respect of visibility at the site entrance. A Traffic Speed Survey was undertaken by Sky High Technology (submitted with the planning application) which showed that average traffic speeds on Finkle Street (a 30mph zone) were actually 28.4mph northbound and 28.7mph southbound respectively.
- 6.5.6 In the light of this information it has been stated by NYCC Highways Officer Stephen Boyne that:-

'I can accept visibility distances based upon Manual for Streets standards at this site. In this instance 2.4 metres x 45 metres would be sought.'

These distances can be achieved at the site entrance.

- 6.5.7 Our view therefore we submit that the proposal will not adversely impact on the highway network either from an access or parking standpoint and therefore consider that the proposal is acceptable as it accords with policies SP20 of The Ryedale Local Plan- The Local Plan Strategy and Paragraph 39 of the NPPF.

6.6 Drainage and Flood Risk

- 6.6.1 The NPPF paragraph 94 states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. NPPF Paragraph 95 states to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings.

- 6.6.2 Policy SP17 (Managing Air Quality, Land and Water Resources) of The Ryedale Plan – Local Plan Strategy states:-

'Land resources will be protected and improved by:

· Supporting new uses for land which is contaminated or degraded where an appropriate scheme of remediation and restoration is agreed and in place

· Prioritising the use of previously developed land and protecting the best and most versatile agricultural land from irreversible loss. New land allocations will be planned to avoid and minimise the loss of the Best and Most Versatile Agricultural Land. Proposals for major development coming forward on sites that are not allocated for development which would

result in the loss of the Best and Most Versatile Agricultural Land will be resisted unless it can be demonstrated that the use proposed cannot be located elsewhere and that the need for the development outweighs the loss of the resource

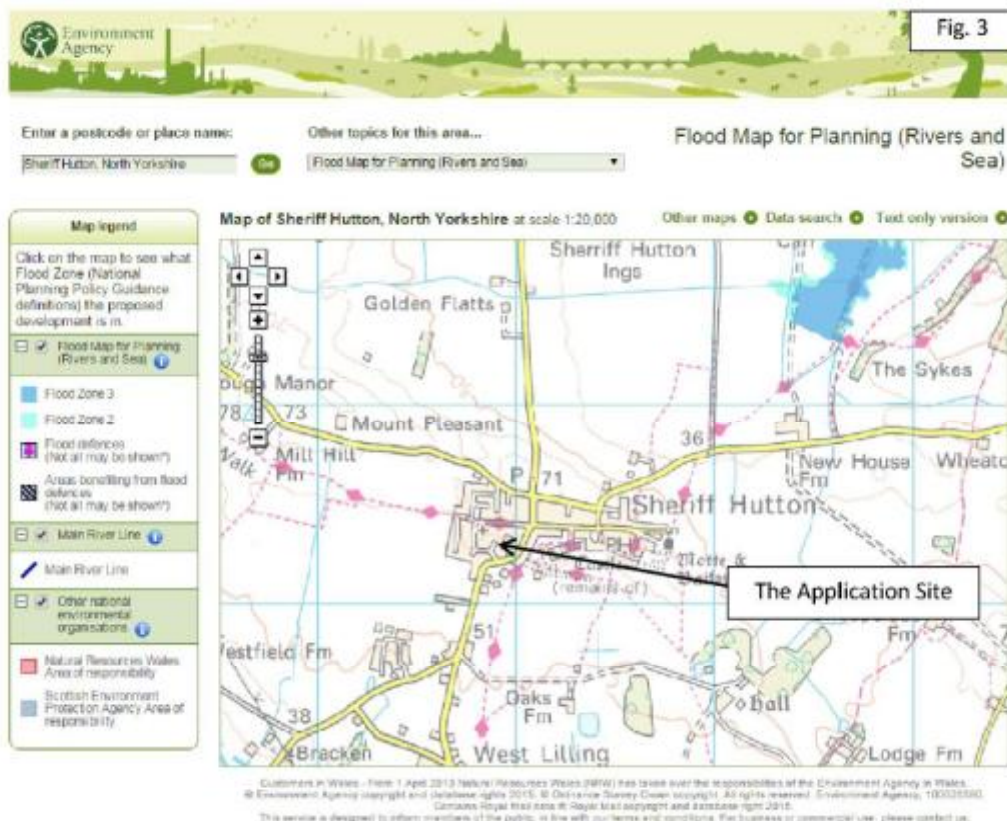
Flood risk will be managed by:

- Requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. Development proposals will be expected to attenuate surface water run off to the rates recommended in the Strategic Flood Risk Assessment. In addition, major development proposals within areas highlighted as having critical drainage problems in the North East Yorkshire Strategic Flood Risk Assessment (or future updates) as Critical Drainage Areas may, if appropriate, be required to demonstrate that the development will not exacerbate existing problems by modelling impact on the wider drainage system

- Ensuring new development does not prevent access to water courses for the maintenance of flood defences

- Undertaking a risk based sequential approach to the allocation of land for new development and in the consideration of development proposals in order to guide new development to areas with the lowest probability of flooding, whilst taking account of the need to regenerate vacant and previously developed sites within the towns. In considering development proposals or the allocation of land, full account will be taken of the flood risk vulnerability of proposed uses and the national 'Exception Test' will be applied if required'

6.6.3 The application site is located in Flood Zone 1 as shown on the Environment Agency's Flood Map for Sheriff Hutton (See Fig. 3 below) which is at a low probability of flooding.



6.6.4 We understand that there is adequate capacity in both the foul water sewer in the area and that an adequate water supply is also available. In respect of Surface Water, this will either be dealt with by soakaways or stored on site and attenuated to an appropriate level to be discharge to the existing sewers.

6.6.5 We submit therefore that the proposed development is not at risk from flooding and can be satisfactorily drained and is therefore considered acceptable and in accordance with Policies and the guidance in NPPF.

6.7. Affordable Housing

6.7.1 The supporting text to Policy SP3 of the Ryedale Plan states:-

'4.34 Increasing the supply of new affordable homes is a priority in Ryedale in order to address the acute affordable housing need in the District. Securing new affordable housing through the planning system is one of the most effective ways in which this can be achieved.'

;'4.40 The Council will aim to secure affordable housing provision on-site, to include a mix of social rented, affordable rent and intermediate affordable tenures that reflects the needs of local communities. The Strategic Housing Market Assessment produced in 2011 suggests'

6.7.2 In addition Policy SP3 follows and states:-

'SP3 Affordable Housing

Where local need exists, the Local Planning Authority will seek the provision of new affordable homes by:

- Negotiating with developers and landowners to secure a proportion of new housing development to be provided as affordable units*
- Supporting Registered Social Landlords in bringing forward wholly affordable schemes within Ryedale's towns and villages*
- Supporting in principle, the release of 'Rural Exception Sites'*

Affordable homes will also be provided in conjunction with landlords through the purchase and repair of existing dwellings, alterations and improvements to the existing affordable housing stock and through the re-use of empty homes.

Affordable Housing from Developer Contributions

The Local Planning Authority will seek the provision of:

35% of new dwellings as affordable housing on-site (in settlements outside West and South West Ryedale) as part of developments of 5 dwellings or 0.2 ha or more'*

6.7.3 The proposal is for 2No dwellings and as such therefore there is no requirement for affordable housing on the site and therefore Policy SP3 of The Ryedale Plan – Local Plan Strategy is not applicable. However, the Applicant is prepared to enter into discussions with the Council in providing a Commuted Sum in lieu of affordable housing as referred to in para 4.42 of the Ryedale Plan – Local Plan Strategy.

6.8 Public Open Space

6.8.1 Policy SP11 (Community Facilities and Services Provision) of the Ryedale Plan states:-

'Proposals for the provision of new community facilities or services will be supported in principle as follows:

Malton and Norton;

Pickering; Kirkbymoorside;

Helmsley

Sites allocated for such uses or as part of a mixed use allocation; expansion and improvement of existing facilities in and outside of Development Limits; provision of new facilities within development limits or outside of Development Limits where the facility is needed and cannot be located within Development Limits or as part of a mixed use allocation.

Service Villages and other villages

Expansion and improvements to existing facilities in or outside of Development Limits; provision of new facilities - within Development Limits, conversion of existing buildings outside of Development Limits or new provision outside of Development Limits where the facility is needed to serve the local area and could not be provided with Development Limits

New or enhanced provision of open space, leisure and recreational facilities will address identified deficiencies set out in Table 3 and be undertaken in line with Local Open Space Standards as set out in Table 4. All new residential development will be expected to contribute to the provision of open space, recreation and leisure facilities. Residential schemes of 15 dwellings or more will be required to include on-site provision of informal amenity space unless it is considered impractical or unfeasible and an off-site contribution is more appropriate. On-site formal children's playspace will be sought on residential sites of 50 dwellings or more.'*

(Our emphasis)

- 6.8.2 As the site is for less than 15 dwellings no on-site provision is required, however, in the light of the Council's recent introduction of a Community Infrastructure Levy (CIL) on 1st March 2016, an off-site commuted sum will be included in the Council's CIL calculation for the site. We therefore submit that this proposal is in line with Policy SP11 (Community Facilities and Services Provision) of the Ryedale Plan and NPPF.

6.9 Impact on Nature Conservation and Protected Species

- 6.9.1 NPPF paragraphs 109 to 125 relate to conserving and enhancing the natural environment and to impacts of development proposals on protected species planning policy and guidance which is provided by the NPPF and accompanying ODPM Circular 06/2005 "Biodiversity and Geological Conservation- Statutory Obligations and their Impact within the Planning System" in addition to the Habitat Regulations and Bat Mitigation Guidelines published by Natural England.

- 6.9.2 An Extended Phase 1 Habitat Survey has therefore been undertaken by Wold Ecology and is submitted as part of the planning application. However it shows that:-

'The ecological survey concludes that the proposed development is unlikely to impact upon any protected species or associated habitats. However, the report recommends a number of measures which should be adopted to ensure potential adverse impacts to wildlife are avoided:

Wold Ecology does not recommend any further specific bird surveys. However, any trees, shrubs and vegetation to be removed should be cleared outside of the bird nesting season (i.e. clearance should be undertaken between September and February inclusive) or be carefully checked by an ecologist to confirm no active nests are present - prior to removal during the summer period. If nesting birds are found during the watching brief, works will need to stop until the young have fledged.'

- 6.9.3 It is considered therefore that the proposed development would not harm any acknowledged nature conservation interests and therefore would not be contrary to the advice contained within the NPPF.

6.10 Archaeology

6.10.1 Policy SP12 (Heritage) of the Ryedale Plan states:-

'SP12 Heritage

Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced. The potential of heritage assets to contribute towards the economy, tourism, education and community identity will be exploited including:

- The nationally significant prehistoric archaeological landscapes of the Yorkshire Wolds and the Vale of Pickering*
- The individual and distinctive character and appearance of Ryedale's Market Towns and villages*
- Large country houses and associated estates and estate villages, with Castle Howard being of international importance*
- The unique distribution of Saxon churches on the fringe of the Vale of Pickering and the North York Moors, including Kirkdale and Stonegrave Minsters*
- Victorian churches throughout the Yorkshire Wolds*
- Medieval features including relatively large numbers of deserted medieval villages, moated manorial sites and granges, such as Kirkham Priory and notable castle sites, including Sheriff Hutton and Bossall Hall, Pickering and Helmsley*
- 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 Roman Derventio site at Malton*

To assist in protecting the District's historic assets and features, the Council will:

- Encourage the sensitive re-use and adaptation of historic buildings and will, where appropriate, support flexible solutions to the re-use of those historic buildings identified as at risk where this would remove a building from English Heritage's At Risk Register or local records of buildings at risk.*
- Seek to ensure the sensitive expansion, growth and land use change in and around the Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas*, as well as surrounding historic landscape character and setting of individual settlements*
- Consider ways in which planning obligations can be used in conjunction with the allocation of sites at the Service Villages in the Vale of Pickering to secure increased protection, management and/or understanding of archaeological assets*
- Work with North Yorkshire County Highways, Town and Parish Councils to provide highway improvements and street furniture that are appropriate to the historic context of individual towns and villages*
- Work with partners and landowners to encourage sensitive land management in the Vale of Pickering and the Wolds*
- Work with and support local estates to identify appropriate ways in which to manage their historic landscapes, features and buildings*
- Support, in principle, the small scale extraction of local building stone that would enable the repair and restoration of high grade or recognised heritage assets and features*

(Our emphasis)

- 6.10.2 In the light of the site being of any archaeological interest we submit that the matter can be covered by a suitable planning condition attached to any planning permission and as such the proposal would meet the requirements of Policy SP12 (Heritage) of the Ryedale Plan and NPPF.

6.11 Community Infrastructure Levy (CIL)

6.11.1 The Council introduced CIL on 1st March 2016 and as such the proposal is liable for CIL. The applicant is therefore content to pay the appropriately calculated amount due.

7. Conclusions

7.1 In conclusion, we believe that we have provided a substantive case through not only Central Government's most recent planning policy statements, but also the Council's own planning policies and material considerations we respectfully submit that the proposal is acceptable in all respects and should receive the support of the local planning authority.

SMN/ YTA 23.02.16