

Item Number: 7
Application No: 17/01238/MFUL
Parish: Helmsley Town Council
Appn. Type: Full Application Major
Applicant: Yorkshire Housing (Mr Jonathan Turner)
Proposal: Erection of 7no. four bedroom dwellings, 33no. three bedroom dwellings and 6no. two bedroom dwellings with associated garaging, parking, amenity areas, landscaping, bridge across Spittle Beck, associated infrastructure, public open space and formation of vehicular access
Location: Land At Riccal Drive Helmsley YO62 5DP
Registration Date: 27 October 2017
8/13 Wk Expiry Date: 26 January 2018
Overall Expiry Date: 3 May 2018
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

NYM National Parks	Comments
Parish Council	Supports with comments
Public Rights Of Way	Recommends informative
Sustainable Places Team	
(Environment-Agency Yorkshire Area)	No objection
Lead Local Flood Authority	Recommend conditions
Environmental Health Officer	Representation
Yorkshire Water Land Use Planning	Recommend conditions
Archaeology Section	Recommends scheme of archaeological evaluation – further views awaited
Housing Services	Support
Environmental Health Officer	Recommend conditions
Designing Out Crime Officer (DOCO)	Comments
Lead Local Flood Authority	Recommend condition
Historic England	Concerns and recommendations
Vale Of Pickering Internal Drainage Boards	Recommend condition
Countryside Officer	Recommend conditions
Highways North Yorkshire	Recommend conditions
Neighbour responses:	Mrs Loraine Merrett, Mr Mark Saxby, Christopher & Joanne Rose, Mr Michael Rutter, Mrs Alison Fuller, Mr Ian Atkinson, Bill Tait, Mr James Hare, Dr Janet Cochrane,

SITE:

The application site comprises 1.8 hectares of land on the south eastern side of Helmsley. The application site measures 123 meters at its widest by 480 meters in length. It is narrow on its northern side but widens to the south. Part of the red line boundary includes the southern section of Riccal Drive in order to facilitate development to the south of the site. The application site is accessed from the A170 via Riccal Drive. The majority of the application site is located within Flood Zone 1, with very small areas of the site on the eastern side within Flood Zones 2 and 3, these being nearest to Spittle Beck that runs north - south on the eastern side of the application site. There is also a small amount of land adjoining Riccal Drive on the western side that is located within Flood Zone 2. The adopted Helmsley Plan (2015) allocates the site for housing.

The application site is largely derelict land with many self-sown trees and bushes. There are some established trees around the Beck. A Public Footpath from Riccal Drive is located immediately to the north of the application site and runs to the east of Spittle Beck and along the eastern boundary of the application site. A Disused Railway Line runs across part of the northern side of the site. The site lies 130 meters to the west of three round barrows which are designated as Scheduled Monuments.

There is residential development to the west and north-west of the application site, with some industrial development to the west of the site. Open countryside is located to the eastern and southern sides. Beyond the site to the south and east, the open countryside is designated as an Area of High Landscape Value, being the Fringe of the North York Moors.

The site to the south is also allocated for residential development with employment uses being allocated to the west of the site, all being served by Riccal Drive.

PROPOSAL:

Planning permission is sought for the erection of 7 no. four bedroom dwellings, 33 no. three bedroom dwellings and 6no. two bedroom dwellings with associated garaging, parking, amenity areas, landscaping, bridge across Spittle Beck, associated infrastructure and formation of vehicular access.

The scheme comprises the following mix:

- 6 no. 2-bed dwellings, Birkdale house type;
- 33no. 3-bed dwellings, Fossdale house type;
- 7 no. 4-bed dwellings, Malhamdale house type.

The Birkdale (2 bed house type) has a footprint of 5.4 meters in width by 7.9 meters in depth and is 5m to the eaves height and 7.8 meters to the ridge height.

The Fossdale (3 bed house - type) has a footprint of 6.4m in width by 8.1 meters in depth and measures 5 meters at eaves height and 7.9 meters at ridge height.

The Malhamdale (4 bed house-type) has a footprint of 7.8 meters in width by 8.9 meters in depth, with an eaves height of 5 meters and a ridge height of 7.85 meters.

The scheme includes a minor variation in the Fossdale house type, with 7 pairs of the semi-detached properties featuring a front central projecting gable.

The scheme comprises:

7. no detached properties;
36 no. semi-detached properties; and,
3 no. terraced properties.

It is proposed to construct half (23 properties) in natural stone and the other half in brick. The more prominent plots have been identified in stone. The roof material proposed is a natural clay pantile, with the windows and doors to be of UPVc.

The proposed development is laid out with an area of POS at the northern part of the site. Thirteen dwellings are proposed along Riccal Drive, each having direct vehicular access from Riccal Drive. Of these, 12 dwellings are proposed with parking spaces in front of the dwellings, and one features a garage with a driveway to its southern side. Two vehicular accesses are proposed from Riccal Drive to serve the proposed 2 cul-de-sacs. The northern access will serve 11 dwellings, and the southern access will serve 16 dwellings. In between the two new access roads are 6 dwellings fronting Riccal Drive.

The scheme proposes to make use of the Public Footpath along the eastern side of Spittle Beck and to incorporate this into the POS. A new bridge over the Beck from the housing site to the Public Footpath

between plots 18 and 19 is proposed. In total, the scheme proposes 0.35 hectares of Public Open Space. The application has been submitted with the following information, which is available to online:

- Archaeological Evaluation
- Design & Access Statement
- Planning Statement
- Ecological Assessment
- Land Contamination Assessment
- Tree Survey
- Flood Risk Assessment
- Non-residential Mining Report
- Transport Assessment
- Noise Assessment

HISTORY:

The planning history for the application site includes:

1987: Planning permission granted for the erection of 8 buildings for light industrial/storage use.

POLICY:

The planning policy for the site comprises National Policy, together with the Helmsley Plan and the Local Plan Strategy. The Helmsley Plan provides detailed policies and guidance for the Town and the LPS provides the broad strategic policies across the District.

National Policy

National Planning Policy Framework, (NPPF) 2012

National Planning Policy Guidance, (NPPG) 2014

Helmsley Plan - adopted July 2015

Policy SD1 - Presumption in Favour of Sustainable Development

Policy H1 - New Residential Development

Policy H3- Affordable Housing Provision

Policy H8 - Important Open views and spaces

Policy H9- Design

Policy H10-Renewable Energy and Sustainable Building

Policy H11 - Green Infrastructure

Policy H12- Developer Contributions

Policy H13 - Open Space Requirements

Annex 1 - Development Brief for Site 183 Land East of Riccal Drive

Local Plan Strategy - adopted September 2013

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP12 - Heritage

Policy SP13 - Landscapes

Policy SP14 - Biodiversity

Policy SP17 - Managing Air Quality, Land and Water Resources

Policy SP20 - Generic Development Management Issues

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

APPRAISAL:

The main considerations in relation to this application are:

- The principle of the proposed development;

- The layout scale, mix design and appearance of the proposed residential development;
- The impact of the scheme upon the character and appearance of the area;
- Residential amenity implications;
- Highway safety;
- Drainage and flood risk;
- Trees, landscaping and ecology;
- Ground contamination;
- The impact upon heritage assets;
- Ecology;
- Public Rights of Way;
- Affordable Housing;
- Developer Contributions;
- Other issues

This application is a 'Major' planning application and has to be determined by Planning Committee. Furthermore the District Council through its compulsory purchase powers is in the process of purchasing the site. The scheme has been amended following Officer concerns and is currently the subject of re-consultation with interested parties, the consultation period expires on 3 May 2018. The main amendments to the proposal are:

- The inclusion of two additional 2 bed dwellings;
- The addition of on-site Public Open Space to the north;
- Improvements to the designs of the dwellings;
- Changes to the layout including a bridge across Spittle Beck from within the application site;
- An improved schedule of external materials;
- An archaeological evaluation; and,
- Revisions to the Flood Risk Assessment to reflect the constraints on the site.

At the time of preparing this report, the consultation period has not expired, therefore further views may be received and Members will need to be updated.

The principle of the proposed development

Policy H1 of the Helmsley Plan allocates the site for residential development for up to 45 dwellings. The Helmsley Plan was adopted in 2015 and is the Development Plan for Helmsley. The Local Plan Strategy (adopted 2013) predates the Helmsley Plan and provides the Strategic policies for the Helmsley area. The previously 'saved' Policy EMP5 of the Ryedale Local Plan 2002 allocated part of the southern area of the site for business/industrial use was superseded when the Helmsley Plan was adopted. In this case, the principle of residential development on this site is already established by Policy H1 of the Helmsley Plan for 45 residential units.

This application is for 46 dwellings which is considered to be consistent with the thrust of the Helmsley Plan. It also makes an efficient use of the land and maximises contributions towards Affordable Housing and CIL.

The layout, scale, mix, design and appearance of the proposed residential development

Policy H9 of the Helmsley Plan states:

' All new development should respect the existing settlement character, patterns and layouts and the principles of building design to ensure that the historic character and local distinctiveness of the built environment is maintained and the landscape of the National Park is conserved and enhanced. Opportunities within the Conservation Area which enhances its significance will be supported.'

The proposed development is laid out with frontage development onto Riccal Drive. Officers have sought to limit the amount of new access roads, and the scheme now features only two new accesses.

The development site includes Spittle Beck and the existing public footpath on the eastern side of the Beck. Officers have sought to maximise where possible through negotiation the interface of the proposed development with the Beck. As a result a new bridge is proposed over the Beck from the proposed development. It is also considered that the allocated site to the south should also feature at least one additional bridge to integrate the developments and the existing public footpath .

The Helmsley Plan contains a Development Brief for the site. That Brief advises that the development of this site should take a coordinated approach with the sites to the south and west. It is suggested in the Development Brief that the Design and Layout of the scheme takes its 'cue' from properties on Station Road. It is also mentioned that previous work by Bauman Lyons Architects provides a useful analysis and consideration of design principles.

This site has come forward before the other sites, so a coordinated approach is difficult. The agent has been asked to liaise with the owners and representatives of the site to the south to ensure a cohesive approach. There have been detailed design objections on behalf of the representatives of the site to the south and they are also critical of the lack of coordination. That said, the Local Planning Authority can only determine what is submitted. The layout of the scheme broadly relates to the work undertaken by Bauman Lyons. Through negotiation Officers have sought to improve the design of the scheme, which is considered to be consistent with some of the properties on Station Road. Key improvements to the scheme relate to the use of natural stone, steeper roof pitches, the eaves detailing, and minor amendments to the elevations. In addition, the bridge across the Beck was negotiated by Officers to help improve accessibility and public recreation.

It is noted that the Development Brief suggests that the site is suitable for a mixture of 1 and 2 bed units, being both affordable and market properties. The housing mix in this case is mainly 3 bedroom properties (33no.), along with 6no. 2 bed properties and 7 no. 4 bed properties. Officers have sought to secure a larger amount of smaller units on this site. The amendments have resulted in a greater amount of 2 bed units. However, the developer is not willing to amend the scheme any further in terms of the mix and considers that it reflects their own market intelligence (which is suggesting a greater need for three and four bedroomed market housing). The National Park Authority have stated that they have no objection to the proposed development subject to the LPA being satisfied regarding the amount of 2 bed properties. In the circumstances Officers consider that this is the best housing mix that is achievable on this application, and on balance this is considered to be acceptable.

The combination of natural stone and brick under clay pantile roofs is considered to be supported. The immediate locality includes Storey Close and a range of 1980's and 1990's built properties on the current eastern side of Helmsley. It is considered that the design and appearance of this scheme integrates well to the fabric and appearance of the settlement. It is recognised that it is not within a historic part of the Town.

The Designing out Crime Officer (DOCO) has not objected to the application. Their response makes recommendations and suggestions regarding opportunities to reduce crime, and about obtaining the secure by Design accreditation. It is considered that the scheme where possible has sought to reduce crime and a condition should be imposed to ensure compliance with DOCO's recommendations where possible.

In summary, it is considered that the design, mix layout, and appearance of the scheme is broadly consistent with the Development Brief and Policy H9 of the Helmsley Plan.

The impact of the scheme upon the character and appearance of the area

The site appears as a derelict area of land. To the far south and east the open countryside is designated as an Area of High Landscape Value. The site has the benefit of some degree of planting along its eastern boundary. Further residential development is allocated on the site to the south. It is considered that the development proposed, and in the form and design proposed will not have an adverse effect upon the character and appearance of the surrounding area. The proposal is considered to be consistent with Policy SP13 of the Local Plan Strategy.

Residential amenity implications

Policy SP20 of the Local Plan Strategy states:

'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.'

In this case the proposed development due to its separation from existing properties is not considered to have an adverse effect upon the residential amenity of the adjoining occupiers. A Noise Assessment has been submitted by the applicant. The scheme and its proximity to employment uses has been considered by Environmental Health Officers who do not raise objection to the scheme. In addition, there is considered to be a satisfactory level of residential amenity for the occupiers of each of the dwellings proposed.

Highway safety

The local Highway Authority has considered the increased use of the junction from Riccal Drive and the A170, they do not require any improvements to the junction to cater for the additional traffic generated for this proposed development. The two new access roads and their turning facilities are considered to be acceptable and the parking provision for each dwelling is considered to meet current standards. The local Highway Authority has not raised objection to the proposed development. Regarding the current re-consultation, the Highway Authority Officer has stated:

'There are no local highway authority objections in principle to the proposed development. The conditions previously recommended in my consultation response dated 12 February 2018 should be taken into consideration. PLEASE NOTE: my recommended Condition No. 5 (HC-11) will affect a few small areas of proposed boundary and landscaping treatment where they abut individual driveways. The layout plan (Site Plan M4186 01 Rev. P) should ensure 2 no. on-site car parking spaces are available for 3-bed dwellings, and therefore Plots 31 & 43 require minor amendment to add one space each. Once the subsequent amended plan is considered satisfactory it should be quoted for Condition 8 (HC-16).'

These comments have been forwarded to the developer and their response and amendments are awaited.

Drainage and flood risk

The site is primarily located in Flood Zone 1, with small amounts of Flood Zones 2 and 3 on its eastern side. A small area to its western side of the application site is located within Flood Zone 2. These areas are considered to be outside of the footprint of the proposed dwellings. Furthermore, as the principle is established through the Allocation of the site for residential use it is not appropriate to apply the Sequential Test. A small area of the site to the north is at a low risk of flooding from surface water. The FRA has been modified to take account of the small parts of the site at increased risk of flooding. Both the Environment Agency and the LLFA has also been consulted and not raised objections to the scheme in terms of flood risk.

The Development Brief advises that a Flood Risk Assessment should be submitted and suggests the provision of a green infrastructure along the Beck in case the Beck ever floods. It is also suggested that the proposed dwellings are kept some distance from the Beck in the event of a flood from the Beck. It is unclear from the NPPF whether the Exception Test is required. The Exception Test contains two parts; one being a site specific flood risk assessment to mitigate any flood risk impact; and the other to ensure there are wider sustainable benefits associated with developing the site that outweigh flood risk. For the Exception Test has been applied. An addendum to the FRA demonstrates that even with a 1 in 1000 year event the proposed dwellings shall be at least 300mm above the level flood waters could reach. It must also be emphasised that the location of the proposed dwellings are within flood zone 1, as such it is

not considered necessary to provide a safe means of escape. There is no evidence to suggest the development of this site would increase flood risk elsewhere. Moreover, given that the site is an allocated site and that it is considered to provide significant benefits through the provision of housing and developer contributions. Officers conclude that it is considered to off-set the relatively low level of possible flood risk in this case and the Exception Test is met.

Foul water is to drain into the mains and surface water is to be discharged into Spittle Beck at a restricted rate. Yorkshire Water does not object to the application and recommends a condition. The LLFA has stated:

The application proposals are to discharge surface water runoff into the nearby watercourse, Spittle Beck. Spittle Beck is designated as an Ordinary Watercourse and is subject to Land Drainage Consent with North Yorkshire County Council's Flood Risk Management team outside of the planning procedure.

Initial greenfield runoff estimation for the development shows a runoff rate of 0.27 l/s which appears to be quite low for the development. It is suggested that further analysis of the greenfield runoff rate is required.

The surface water drainage strategy needs to be developed in accordance with the national surface water drainage hierarchy in Building Regs Part H. Percolation tests should be completed to BRE 365 standard to investigate the infiltration rate of the site. Infiltration is likely to be infeasible as a means to drain surface water from the proposals

The employment of sustainable urban drainage techniques needs to be considered.

Climate change impact needs to be included in drainage and storage design based on the lifetime of the development.

Exceedance flow routes through the site for extreme flooding events should be provided, if necessary. A detailed design drawing of the site foul and surface water drainage layout should be submitted to the LPA. To provide adequate access for maintenance, a 5m no development easement from the bank top of the watercourse Spittle Beck should be incorporated in the detailed design.

Long term maintenance of the site surface water runoff attenuation / SuDs is unknown. A management plan of the SuDs scheme should be provided.

The submitted Carley Daines & Partners Flood Risk Assessment & Drainage Strategy Report, reference 17-B-11058/Riccal Drive, dated 21st June 2017, is noted.

Site Comments

Runoff Destinations: The planning application form states that surface water will be discharged to the nearby Ordinary Watercourse Spittle Beck. An additional Land Drainage Consent of by means of soakaway which infiltration testing has shown to be practical. Additional information is required to determine if infiltration through soakaways is a viable drainage option.

Flood Risk: The site is located within Flood Zone 1 although there may be local flood risk issues.

Peak Flow Control: As surface water is to be disposed of on site by means of drainage to the nearby watercourse, peak flow control is to be limited to a maximum of 1.4 l/s/ha or to the proven greenfield runoff rate for the site.

Volume Control: SuDS attenuation design should be able to provide the 1 in 100 year design flood event plus and allowance for climate change and a further allowance for urban creep.

Pollution Control: Pollution from surface water runoff from the development from parking areas and hardstanding areas should be mitigated against by the use of oil interceptors, road side gullies,

reedbeds or alternative treatment systems.

Designing for Exceedance: Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site. A plan showing exceedance flow routes is required as part of any detailed design.

Highway Drainage: To be agreed with the Highway Authority.

Climate Change / Urban Creep: A 30% allowance for climate change with an additional 10% Urban Creep allowance.

Construction: Temporary flood risk measures during the construction phase should be submitted to the Local Planning Authority to mitigate the impact of flooding during the construction of the site.

Maintenance: Arrangements for the maintenance of the proposed SuDS surface water runoff attenuation feature should be submitted to the Local Planning Authority for approval, this maybe subject to a Section 38 agreement with the NYCC Highways department and additionally a Section 104 agreement with Yorkshire Water.'

The LLFA recommends four conditions be imposed to control surface water drainage.

There have been concerns locally regarding flood risk on this site, however there are no such concerns raised by either the IDB, LLFA or the Environment Agency. The site is allocated for residential use and the surface water drainage details for the site are proposed to be conditioned. In view of this, there are considered to be no reasonable objections by officers to flood risk issues on this site.

The Internal Drainage Board and the Lead Local Flood Authority have suggested a 5 Meter maintenance strip at either side of the Beck. This appears to be inconsistent with the current layout. It is noted that the applicant is to retain the Beck and land either side and be responsible for its future maintenance. There is no suggestion of an objection from the consultees to the current arrangement, the applicants have been asked to comment on the suggested 5 meter maintenance strip and how the Beck can be maintained. Their response is awaited.

Ground contamination

The Environmental Health Officer has considered the information submitted and has recommended detailed planning conditions regarding the submission of additional information.

The impact upon heritage assets

NPPF and Policy SP12 of the Local Plan Strategy requires any harm upon heritage assets to be assessed. Any identified harm needs to be carefully considered alongside any public benefits. There are two heritage assets in this case.

(i) Archaeology

Following the original response of the Heritage section at NYCC (County Archaeologist) an evaluation of the site has been undertaken to assess its archaeological significance. At the time of writing this report the final views of the NYCC Heritage are awaited.

(ii) Impact upon the setting of the Scheduled Monuments

Historic England has concerns regarding the proposal and its impact upon heritage assets, which primarily relate to potential archaeological remains give the close proximity of the site to 3 round barrows.

The Historic England response has included the following information:

"The application site is located 150 meters west of the nationally important Scheduled Monument of 'Three round barrows 800m ENE of Helmsley Bridge', NHLE 1019345. Round barrows are prehistoric funerary monuments dating to the Late Neolithic and Bronze Age periods (2400-1500 BC). A barrow is made up of a mound surrounded by a ditch, the upcast from the ditch being used to create the mound. Round barrows often contain burials or cremations in urns at the former ground level but may also contain 'secondary burials' or cremations within the mound. Barrows can occur singly or in groups, often in large 'Barrow cemeteries'. Additionally, because of being prominent in the landscape barrows can be re-used as burial sites in later periods, and they may form the nodal points of parish boundaries in the Anglo-Saxon and Medieval periods."

"Although there are no direct physical impacts on the Scheduled Monument, it should be assumed until demonstrated otherwise, that because of the close proximity of the proposed application site to the Scheduled Monument, the site is archaeologically sensitive and may contain nationally important but undesignated archaeological deposits."

In their response, Historic England were concerned that there was no information submitted regarding potential archaeological significance of the site. Members will appreciate that the Archaeological Report has been submitted, and the final views of Historic England are awaited.

Trees, Landscaping and Ecology

An Ecological Assessment and Tree Survey has been submitted with the application. The Council's Countryside Specialist has assessed the submitted information and stated:

"The ecological report found only features of only local ecological importance. The scrub/woodland edge that follows the Eastern edge of the site along the line of the stream may provide bat foraging habitat and is certainly an important habitat link within the locality. Much of the development site is old arable land that has self-seeded semi improved grassland/scrub and scattered trees. Most of this habitat will be lost due to this development although some existing trees are retained. The conversion of a proportion of the land to domestic gardens may go some way to address the biodiversity loss. Some landscaping in the form of individual tree planting is proposed as well as some biodiversity benefit are suggested within the development.

I would look to condition some detailed plan to the management of the beck side strip down the western boundary of the site as well as the inclusion in the design of some detailed biodiversity enhancements.'

In view of this response, and subject to appropriately worded planning conditions there are considered to be no objections to the loss of trees, replacement planting, ecological and wildlife implications. As such the proposal is considered to meet the requirements of Policy S14 of the Local Plan Strategy.

Public Rights of Way

The local Highway Authority has recommended an informative in respect of the existing Public Footpath along the eastern part of the site.

Affordable Housing

Policy H3 of the Helmsley Plan requires a 40% contribution to Affordable Housing delivered on-site. At pre-application stage it was decided that this need should be met through a 35% on-site provision and a 5% off-site financial contribution.

The Council's Rural Housing Enabler stated:

'The Council's 2015 Strategic Housing Market Assessment indicates that Ryedale will be required to provide for a net annual affordable housing need of approximately 79 dwellings per annum over the period 2014 to 2035 (based on a 30% affordability threshold) in order to both clear the existing waiting

list backlog and meet future arising household need.

The SHMAs assessment of affordable housing needs also indicates that, in delivering affordable units, a HMA wide mix target of 20% intermediate and 80% social or affordable rented homes would be appropriate. Any strategic policy should however retain a degree of flexibility both to take account of local level variations which the Council has identified, as well as any site specific issues.

In terms of size mix, the Council's SHMA concludes that the mix of affordable homes should be as follows; 25-30% x 1beds, 40-45% x 2beds, 20-25% x 3beds and 5-10% x 4+beds.

The proposed scheme is for 45 units and therefore the Council's SP3 Affordable Housing policy of 35% requires the provision of 15.75 on-site affordable units. In addition to the 35% on-site provision, the Helmsley Plan also includes 5% off-site provision in the form of a financial contribution which is detailed in the next bullet point. The Developer (Yorkshire Housing) is proposing 16 affordable units made up of 10 three bedroom units, 3 two bedroom units 3 three bedroom Intermediate (Rent to Buy) units so the affordable provision is acceptable. The other 13 affordable units will be affordable rent. The size of the two bed 3 person units are 71m² and the three bed 4 person units are 87.2m². The Council does not have recommended GIFA sizes for 2b 3p and 3b 4p units, but as the developer is an RP who'll be letting the properties, then these sizes are acceptable to the Council.

The 5% off-site financial contribution, which is a requirement of the Helmsley Plan, is calculated as follows; the omv of a similar 3bed dwelling in Helmsley (based on a semi-property sold in Elmslac Road last year - Rightmove) £165,000, minus the RDC transfer price of a rented 3bed property £83,700, = £81,300. This figure is then multiplied by 2.25 which is 5% of the total dwellings on the site (45). The total financial contribution required is therefore £182,925.

The tenure mix is acceptable, however, the 3 Intermediate Rent to Buy units on plots 14, 38 and 43 seem to be oddly positioned immediately next to affordable rented units, so the Council would prefer to see the 3 Rent to Buy units on plots 16, 17 and 18 in a terrace of 3 Intermediate units in the centre of the development.

Delivery/Frontline Services supports this proposal which will deliver 16 much needed affordable homes for Helmsley.

Ryedale District Council recognizes that the district will face damaging social and economic effects should insufficient low cost homes not come forward over the next 15 years. Ryedale has a significant low wage economy and if people cannot afford to live here then this will affect the viability of local businesses, such as in manufacturing, shops and tourism, through an inability to recruit workers. It will also affect other important aspects such as the care of older people.

In recognition of the above issue, two of Ryedale District Council's Aims, as contained in the Corporate Plan, are to meet housing needs and to create the conditions for economic success. Without schemes such as this the Council's aims will not be achieved and the community as a whole will not prosper.'

Officers have raised concerns with the Housing Officers that the Affordable Housing provision does not provide the amount of smaller housing (1 and 2 bed properties) identified in the Development Brief. It is understood that since the Development Brief was written, the need for smaller units has recently been met by other developments in the locality and the type of Affordable Housing proposed is reflective of the current need.

The application has since been amended and the total number of dwellings has increased by 1 unit to 46. The final views of the Council's Rural Housing Enabler are awaited.

If the application is approved, a S106 agreement will be required to ensure the on-site Affordable Housing is provided in perpetuity and the off-site financial payment is made to the Council.

Developer Contributions

The developer contributions on this scheme include:

- The Affordable Housing contribution above;
- The on-site Public Open space provision, and
- The developer is required to pay CIL on the market housing at a rate of £85m2.

Other issues

Helmsley Town Council supports the proposed development and with the increased traffic they suggest a mini-roundabout at the junction with the A170. They also suggest the inclusion of 2 litter bins. There has also been 9 responses received in regard to the application. Apart from one element of support these responses largely raised objections/concerns regarding the proposed development. The support raised related to the provision of affordable housing and housing for local people. All the responses are available to view online. The areas of concern/objection issues include:

- Wildlife ;
- Reservations about who the houses would be for;
- The potential pollutants into the Beck;
- Concern regarding second homes/holiday homes;
- Need for more housing;
- Flood issues;
- That red brick is inappropriate;
- Suggests that more 1 and 2 bed properties should be included;
- The development is too dense which increases flood risk;
- The design, form appearance, housing mix and layout of the scheme; and
- Lack of coordination with land to the south.
- Covenant on the land
- Use of the existing Public footpath on a Bridle way
- Inefficient use of the land
- Suggest central areas of POS
- Drainage and accessibility
- Upgrade public footpath to the eastern side and replace the bridge
- Limited employment opportunities

It is considered that the majority of these issues have been already addressed in the report above. Regarding the need for housing, the site is allocated for this specific use. The comment regarding second homes and holiday accommodation is noted. This scheme is for both market and Affordable Housing. The Affordable Housing is to remain available in perpetuity. To an extent the market dictates whether market housing is used as a holiday cottage or housing, such a choice by an owner of a property goes beyond the consideration of this application. It is expected that the surface water drainage scheme will address the potential for pollutants to enter the Beck. It is anticipated that a condition would be imposed regarding the upgrading of the existing public footpath. Covenants are not material planning considerations. Helmsley does have allocated employment sites to meet current and future employment needs.

The comment about upgrading the Public footpath to a Bridleway is noted, however this is not considered to be directly related to this proposal development of dwellings. Whilst this may be desirable from the Ryedale Bridleways Group, it is not necessary to make this proposed development acceptable. It is therefore not considered to be possible to apply any conditions or obligations in this respect

Policy H10 of the Helmsley Plan requires a consideration of the provision of renewable energy and sustainable building. It has been suggested to the applicants that they include electric vehicle charging points to address this policy requirement. A response is awaited from them as to how they propose to meet this policy.

SUMMARY:

In view of the ongoing consultation period and the outstanding information it is not considered appropriate to make a definitive recommendation of approval at this stage. If Members are broadly supportive of the scheme it is suggested that a final decision be deferred to the Head of Planning subject to the completion of a S106 agreement in respect of Affordable Housing provision.

RECOMMENDATION: Approval Subject to any new issues raised during the consultation period with a decision of approval delegated to the Head of Planning to approve the application subject to recommendation of any outstanding matters and subject S106 agreement with respect of Affordable Housing.

CONDITIONS UNDER PREPARATION