

PLANNING COMMITTEE

Tuesday 17 December 2013 at 6.00 pm

Council Chamber, Ryedale House, Malton

Agenda

1 Apologies for absence

2 Minutes (Pages 3 - 5)

3 Urgent Business

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

4 Declarations of Interest

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

5 Part A Report - Ryedale District Council's Response to the Whitby Business Park Area Action Plan (Pages 6 - 9)

6 Part B Report - Publication of the Helmsley Plan (Pages 10 - 216)

7 Schedule of items to be determined by Committee (Pages 217 - 218)

8 13/01088/MFUL - Land at Station Road, Nawton, Helmsley (Pages 219 - 255)

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| 9 | 13/01135/MFUL - Willerby Wold Pig Farm, Staxton, Scarborough, YO12 4SN
(Pages 256 - 266) |
| 10 | 13/01164/MFUL - Willow Garth Farm, Barugh Lane, Great Barugh, Malton, YO17 6UZ
(Pages 267 - 274) |
| 11 | 13/00919/FUL - Plough Inn, Main Street, Wombledon, Kirkbymoorside, YO62 7RW
(Pages 275 - 290) |
| 12 | 13/00920/LBC - Plough Inn, Main Street, Wombledon, Kirkbymoorside, YO62 7RW
(Pages 291 - 294) |
| 13 | 13/01099/OUT - Land Adj To Dhekelia, Moor Lane, Broughton, Malton
(Pages 295 - 310) |
| 14 | 13/01235/FUL - Plumwood, Main Street, Harome, York, YO62 5JF
(Pages 311 - 323) |
| 15 | 13/01016/FUL - Land at Derwent House, Old Malton Road, Malton
(Pages 324 - 348) |
| 16 | 12/00141/LB - Enforcement Report - Greenholme, Main Street, Wombledon, Kirkbymoorside, YO62 7RW
(Pages 349 - 353) |
| 17 | Letter from Cllr Mrs Hopkinson
(Page 354) |
| 18 | Any other business that the Chairman decides is urgent. |
| 19 | List of Applications determined under delegated Powers.
(Pages 355 - 359) |
| 20 | Update on Appeal Decisions
(Pages 360 - 380) |

Planning Committee

Held at Council Chamber, Ryedale House, Malton
Tuesday 19 November 2013

Present

Councillors Mrs Burr MBE, Collinson, Mrs Goodrick, Hope, Maud, Richardson, Mrs Sanderson, Mrs Shields (Observer), Windress (Vice-Chairman) and Woodward

Substitutes:

In Attendance

Jo Holmes, Gary Housden, Shaun Robson, Bridget Skaife and Anthony Winship

Minutes

101 **Apologies for absence**

Apologises were received from Cllr Raper.

102 **Minutes of the meeting held on 22 October 2013**

Decision
That the minutes of the meeting of the planning committee held on 22 October 2013 be approved and signed by the Chairman as a correct record.

103 **Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

104 **Declarations of Interest**

No Members indicated that there was any Declarations of Interest under the Members Code of Conduct.

105 **Schedule of items to be determined by Committee**

The Head of Planning & Housing submitted a list (previously circulated) of the applications for planning permission with recommendations there on.

106 **13/01049/FUL - Givendale Head Farm, Malton Cote Road, Ebberston, Scarborough**

13/01049/FUL - Erection of an agricultural building for the housing of pigs.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

107 **13/00805/FUL - Wombleton Grange Farm, Common Lane, Wombleton, Kirkbymoorside**

13/00805/FUL - Siting of a free standing grain dryer (retrospective application).

Decision

PERMISSION GRANTED – Subject to revised conditions as recommended.

108 **13/00872/FUL - Land At West Royd, Castle Howard Road, Malton**

13/00872/FUL - Erection of a three bedroom dwelling with attached store, amenity area and parking.

Decision

PERMISSION GRANTED – Subject to conditions and receipt of satisfactory tree survey and Section 106 agreement.

109 **13/01051/FUL - Land Adj To Number 103, Main Street, Ebberston, Scarborough**

13/01051/FUL - Erection of a four bedroom detached dwelling with detached double garage and alteration to widen existing vehicular access.

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

110 **13/01088/MFUL - Land At, Station Road, Nawton, Helmsley**

13/01088/MFUL - Erection of 2no. semi-detached three-bedroom dwellings, terrace of 3no. two-bedroom dwellings, 2no. one-bedroom flats, 1no. four-bedroom dwelling and 2no. semi-detached two-bedroom bungalows with parking spaces, amenity areas and vehicular access road.

Decision

SITE INSPECTION

111 Enforcement Report - Birch Farm, The Terrace, Oswaldkirk, Helmsley

13/00012/BC - Birch Farm, The Terrace, Oswaldkirk, Helmsley

Decision

That the Council Solicitor in conjunction with the Head of Planning and Housing be authorised to take enforcement action, together with any further action required, to ensure the landscaping for the development is completed in accordance with the approved plans of planning permission ref. 12/00582/MFUL and that the boundary treatment is completed to the satisfaction of the Local Planning Authority.

112 Any other business that the Chairman decides is urgent.

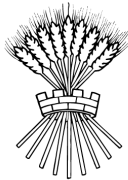
113 List of Applications determined under delegated Powers.

114 Update on Appeal Decisions

The meeting closed at 7.35pm.

Agenda Item 5

**RYEDALE
DISTRICT
COUNCIL**



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	PLANNING COMMITTEE
DATE:	17 DECEMBER 2013
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	RYEDALE DISTRICT COUNCIL RESPONSE TO THE WHITBY BUSINESS PARK AREA ACTION PLAN
WARDS AFFECTED:	NO WARDS DIRECTLY AFFECTED

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report seeks confirmation of the District Council's response to consultation on the Whitby Business Park Area Action Plan (AAP).

2.0 RECOMMENDATION(S)

- 2.1 It is recommended that Members:

- (i) Endorse this Council's response to the document as set out paragraphs 6.4-6.7 of this report.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 The AAP has been jointly prepared by Scarborough District Council and the North York Moors National Park Authority. Against the context of the Duty to Co- operate and longstanding and positive working between Local Planning Authorities in this area, it is appropriate that this Council provides a response to the current consultation. Furthermore, the current consultation represents a formal stage in the production of the AAP and it is considered that a Member level response is appropriate at this stage.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with this report.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The North York Moors National Park and Scarborough Borough Council are undertaking statutory consultation on a jointly prepared Area Action Plan for Whitby

Business Park, to supplement their existing Development Plans. An Area Action Plan can form a key part of the Development Plan, as a Development Plan Document, and upon adoption is afforded full weight in the decision making process in considering planning applications. This document has been previously consulted upon in a Discussion Paper (August and September 2009) and consultation on the draft Plan (May and June 2013).

- 5.2 The document is at the formal Publication Stage, and responses made at this stage will be submitted, along with the proposed AAP, to the Inspector appointed to examine the document on behalf of the Secretary of State. Representations on the AAP need to be made within the prescribed consultation period which ends on the 18th December 2013.

REPORT

6.0 REPORT DETAILS

- 6.1 The Whitby Business Park Area Action Plan includes spatially specific policies for the geographic area of the Business Park and its immediate environs: including allocations, and policies which concern a particular approach to development management considerations and also consider and set out site-specific requirements.
- 6.2 In particular, the following matters, and their implementation, are considered in this AAP:
- Developing the Business Park – explain the potential for the Business Park to be expanded, and the types of uses that are considered appropriate;
 - Business and Industrial Land - identifies locations for expansion of the Business Park;
 - Retail - sets out how proposals for further retail development at the Business Park will be dealt with;
 - Environment and Appearance – seeks to establish a higher quality appearance and more cohesive ‘feel’ for the Business Park, including the concept of ‘green infrastructure’ linking through the site;
 - Accessibility – identifies opportunities for increased mobility and access to and within the Business Park including by walking and cycling to better serve businesses and their clients; and
 - Infrastructure – outlines the potential for energy generation, water management and information technology improvements.
- 6.2 Members are reminded that to be found ‘sound’, a Plan is examined against four tests:
- Positively prepared - based on a strategy to meet objectively assessed development and infrastructure requirements; including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- Justified – the most appropriate strategy when considered against the reasonable alternatives;
 - Effective – deliverable over the plan period and based on effective joint working where appropriate; and
 - Consistent with national policy – enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF).
- 6.3 Both Authorities have requested that responses to the document be prepared in the context of the tests of soundness, to assist the process.
- 6.4 The AAP is very much a locally specific document. The policies and proposals included within it are based on meeting identified business requirements and other issues which are designed to ensure that attractive business space and employment land is provided at the Town. It is considered that proposals within the AAP are consistent with policies and objectives of this Authority and will not undermine the economic aspirations of this Authority. On this basis, it is considered that it is appropriate for this Council to provide broad support for the AAP and to confirm that it considers the document to be sound.

Proposed RDC Response

- 6.4 **Positively prepared** – “The North York Moors National Park and Scarborough Borough Council have identified a need to enhance the opportunities for employment development at Whitby Business Park, the Town’s only purpose built facility. The AAP also seeks to mitigate impacts on the setting of the National Park and Whitby Abbey and provides, in accordance with the NPPF, a framework for considering other uses, such as retail and hotel accommodation to complement the Business Park’s operations, whilst reinforcing Whitby Town Centre”.
- 6.5 **Justified** – “The AAP has been subject to Sustainability Appraisal, Habitats Regulations Assessment and informed by an Employment Land Review, a further study in 2009 on the Whitby Business Park and a recent Retail Capacity Study”.
- 6.6 **Effective** – “The very fact that the AAP has been jointly produced by the National Park Authority and Scarborough Borough Council in itself demonstrates effective joint working. The objectives and policies of the AAP raise no specific issues for Ryedale. It is consistent, and not at odds with the policies of the Ryedale Plan- Local Plan Strategy and will not undermine the economic aspiration of this District. On a wider note, it is considered that the Plan will help to contribute to the ambitions and strategy of the Local Economic Partnership for this area of North Yorkshire. Importantly, the Plan also acknowledges the relationship with Redcar and Cleveland, in respect of working patterns. The AAP sets out the finance which is ring fenced for the delivery of key site infrastructure to help address latent demand, which serves to demonstrate that it is deliverable and the document is supported by a monitoring framework”.
- 6.7 **Consistent with national policy**-“The policy approach is considered to be consistent with the NPPF”.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial

None

b) Legal
None

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
None

8.0 NEXT STEPS

8.1 The Council's representations will be forwarded to the National Park Authority and Scarborough Borough Council.

Gary Housden
Head of Planning and Housing

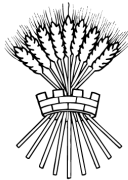
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Telephone No: 01653 600666 ext: 357
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Background Papers:
Whitby Business Park Area Action Plan (Publication Version)

Background Papers are available for inspection at:
Scarborough District Council web-site

Agenda Item 6

**RYEDALE
DISTRICT
COUNCIL**



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	PLANNING COMMITTEE
DATE:	17 DECEMBER 2013
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	PUBLICATION OF THE HELMSLEY PLAN
WARDS AFFECTED:	HELMSLEY AND ADJACENT WARDS INDIRECTLY

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To present the outcome of recent consultation on the Draft Helmsley Plan and for Members to consider and agree changes to the Plan in response to issues raised.
- 1.2 For Members to agree to publish the Helmsley Plan for formal consultation and subsequent submission to the Secretary of State for Examination.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Members:
 - (i) Note the comments received on the Draft Helmsley Plan (Annexes 1 and 2) and agree responses to them as outlined in Annexe 2
 - (ii) Approve the Publication version of the Helmsley Plan for public consultation and subsequent submission to the Secretary of State for Examination (Annexe 3)
 - (iii) Authorise Officers to make minor amendments to the text and format of the Plan prior to publication in conjunction with Officers of the National Park Authority
 - (iv) Authorise Officers and Members of the Joint Member Working Group to prepare a schedule of proposed modifications to the Plan if this is required in order to address comments raised following the Publication of the Plan and any further issues identified during the Examination process
 - (v) Authorise the Head of Planning in consultation with the Chairman of the Planning Committee to agree modifications to the Plan which represent main

PLANNING COMMITTEE

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modifications, in conjunction with the Director of Planning and Chair of the Planning Committee of the National Park Authority.

- (vi) Authorise Officers to make a request to the Inspector appointed to conduct the examination of the Plan to make recommendations that he or she considers to be necessary to address any issues of soundness
- (vii) Agree to amend the milestones for the production of the Helmsley Plan included in the Ryedale Plan: Local Development Scheme, as set out in paragraph 6.7 of this report

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To progress the production of the Helmsley Plan.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with this report. Greater risks are likely to arise if progress on the Helmsley Plan is not made or if the correct process of producing the Plan is not followed. For example, it is considered that there is a greater risk that the Plan will be found unsound if it is not produced in accordance with statutory procedural requirements. Additionally, delays to the production of the document will impact upon the ability of both Local Planning Authorities to identify the site specific land allocations for Helmsley which will contribute to the planned housing land supply of the Ryedale Plan and Ryedale's five year land supply calculation.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Members are aware that for planning purposes, Helmsley is split by the National Park Boundary and that there are also various constraints which limit growth in the part of the town falling within the District Council's planning area. For these reasons both Authorities have agreed to work together to jointly prepare the Helmsley Plan which will be the Development Plan for the Town for the next 15 years. The Plan includes policies and land allocations to manage growth and address development requirements over this period.
- 5.2 The production of the Plan supports one of the Council's key priorities which is to ensure up to date Development Plan coverage across the District.
- 5.3 In July 2011, a Joint Member Working Group was established to take forward the Helmsley Plan. This comprises 3 Members from the National Park Authority and 3 Members of the District Council. The group also includes two Members from Helmsley Town Council and North Yorkshire County Council's Member for Helmsley (although these Members do not have voting rights). It should be noted that the working group does not have delegated decision making powers. The group is constituted to make recommendations back to the District Council and National Park Authority.
- 5.4 Members will recall that at a meeting of Planning Committee in June 2013, agreement was given to consult on a Draft Helmsley Plan. This took place in summer 2013 and involved a range of consultation methods which included:
 - Inviting representations from those on the consultation database which included members of the public, local businesses and groups and statutory stakeholders

- Two public events held in the Committee Room of the National Park Authority
 - A short presentation on the proposals at a Town Council meeting in June.
 - Issuing of a press release was issued
 - Placing the Draft Plan on both Authorities' websites
- 5.5 In total 40 individuals/ groups responded to the consultation on the Draft Helmsley Plan, with 241 individual comments. A summary of the comments received is attached at Annex 1.
- 5.6 In general, the proposed development sites (land allocations) were supported. However there was concern regarding specific issues for some of the preferred proposed development sites. Some of the developers questioned whether sufficient land was being allocated to meet objectively assessed needs, while on the other hand some local residents felt that there was no justification for building new houses on Greenfield land.
- 5.7 It should be noted that the level of future development proposed in Helmsley was extensively debated through the recent Ryedale Local Plan Strategy (LPS) Examination. Some of the representations from house builders reflected the (then) ongoing Examination into the LPS, particularly the housing target. However following the consultation on the Helmsley Plan, the Ryedale LPS was adopted on 5 September 2013 and full weight can now be attributed to it as it forms part of the 'development plan' for Ryedale District. Therefore the level of housing has been established through the LPS and the purpose of the Helmsley Plan is to allocate the most appropriate sites to accommodate new development as the amount of growth is already determined.. Additionally, the principle of development in Helmsley and the preparation of a specific Plan for the town is also established in the National Park Authority's adopted Core Strategy and Development Policies Documents.
- 5.8 The comments received in response to the Draft Plan have been considered by Officers and amendments have been made in light of the comments received. These were agreed at a meeting of the Working Party on 22 November 2013 and have been incorporated into the version of the Plan which is the subject of this report.
- 5.9 Annex 2 sets out the proposed response to the comments received and outlines whether any changes to the plan have been made as a consequence. In addition, since the consultation ended on the Draft Plan ongoing discussions have taken place with the relevant stakeholders including North Yorkshire Highways and the Environment Agency on the issues raised during the consultation. The outcome of these discussions has also informed the preparation of the Publication version of the Helmsley Plan.

6.0 REPORT

Publication and Submission of the Plan

- 6.1 Officers and Members of the Helmsley Plan Working Group consider that the Plan is now at a stage where it can be taken through the formal, final stages in its production. This involves publishing the plan for six week period of consultation and then submitting the Plan for Examination by an independent Planning Inspector.
- 6.2 The proposed 'publication' version of the Plan is at Annex 3 of this report. The Plan contains a total of 15 policies and sets out development briefs for each proposed site

allocation. It proposes to allocate 5 sites for housing development, which is sufficient to accommodate approximately 210 units based on 30 dwellings per hectare. It also proposes the allocation of 1.9 hectares of land for employment use to the south east of the town. Officers are confident that to date, the Plan has been prepared in accordance with the provisions of The Town and Country Planning (Local Planning) (England) Regulations 2012 and in accordance with the Statements of Community Involvement (SCI's) of each Authority.

- 6.3 The 'Publication' stage is the main formal opportunity for all interested parties to make their views on the Plan known. Representations received at this stage will be submitted alongside the Plan to the examination where the soundness of the Plan and matters of legal compliance will be fully scrutinised and considered by the appointed Inspector. It is important that Members note that the Plan which is submitted for examination should be the version that both Local Planning Authorities wish to adopt.
- 6.4 Members are reminded that to be considered sound the plan should be:-
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in national policy
- 6.5 Changes introduced through the Localism Act allow Local Planning Authorities to request that an Inspector recommend any changes that he or she considers to be necessary to address issues of soundness identified during the examination process. This is an important and useful change to the examination process and as such, authority to make this request is covered by a recommendation of this report.
- 6.6 It is very likely that some changes to the Plan may be needed following its publication or in response to issues identified during the course of the examination. These will include minor changes relating to, for example, typographical errors or may involve more substantive changes. Any substantive changes to the Plan are known as 'Main Modifications' and these will need to be subject to a period of consultation before the examination is completed and the Inspector prepares his/ her report. Changes to the Plan will need to be agreed and proposed by both Authorities.

Other Procedural Matters

- 6.7 An important procedural requirement particularly at the formal stages of the preparation of a Plan is that it is taken forward in accordance with the milestones set out in the each Authority's Local Development Scheme. There has been some delay in the original timescale for the preparation of the Helmsley Plan and therefore the current milestones in the Ryedale Local Development Scheme require amendment. Officers consider the following milestones should now be substituted in place of the former milestones:

Publication – February 2014
Submission – April 2014
Adoption – October 2014

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

A budget has been set aside for the preparation of the Helmsley Plan and the costs of an Examination. The costs are being shared by the two Authorities

b) Legal

Preparation of the Helmsley Plan is be subject to the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. On adoption, the Plan will become the Development Plan for this area of Ryedale and the National Park.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

National Park Officers are leading the preparation of the Helmsley Plan with the support of Officers of the District Council. It is anticipated that a Member of staff from Ryedale will be appointed to carry out the role of Programme Officer. The Programme Officer provides administrative support to the Inspector over the duration of the examination and will need to be appointed before the Plan is submitted for examination.

The Publication version of the Helmsley Plan will be accompanied by a Sustainability Appraisal, a Habitats Regulation Assessment and a Statement of Consultation.

8.0 NEXT STEPS

8.1 Officers will complete the administrative arrangements which are required to ensure that the Plan is published in accordance with statutory requirements and in accordance with the both Statements of Community Involvement. All those individuals or organisations who have previously submitted comments on the Plan will be notified of the publication/consultation, alongside the statutory consultees listed in the Regulations. A copy of the Plan will also be made available in Helmsley Library and on the both Authority's websites.

Gary Housden
Head of Planning and Housing

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Background Papers:

Helmsley Plan: Publication Draft
Helmsley Plan: Habitat Regulations report
Helmsley Plan: Sustainability Appraisal report.
Report to Planning Committee: 4 June 2013

Report to Helmsley Plan Joint Member Working Group: 22 November 2013
Background Papers are available for inspection at:
Member's Room and RDC web-site.

Annex 1

General Comments

- Any CIL or open space contribution requirements should not jeopardise delivery of the Plan.
- The proposals will have an adverse impact on the National Park
- Concerns about the lack of detail in the Plan relating to specific sites.

Housing

- Plan is over reliant on the Ryedale Local Plan figures. Housing figure must consider housing requirements of both the National Park and Ryedale District Council. The housing provision figure of 150 units is not enough to meet all the affordable housing requirements of the town.
- The policy provision on windfalls should make it clear that they do not count towards the overall provision figure.
- Further explanation is required in reference to affordable housing for local people.
- The housing provision figures are not adequately justified in the plan. There is not enough evidence to support the proposals, i.e. where is the need for the housing?
- The housing needs to be built gradually over the next 15 years.
- The National Park Authority has put its desire to help Ryedale with their housing targets above National Park Purposes.
- Development should take place on brownfield sites within the town not Greenfield.
- The development of 200 houses in such a short space of time will have an adverse impact on the special qualities of the National Park.
- Concern that new houses will be used as second homes.

Site NYMH1

- Objections to the development of this site at Discussion Stage have been ignored.
- The development will harm the parkland setting of this part of Helmsley.
- The development will result in a loss of wildlife.
- Local people enjoy the existing open countryside at the edge of the town.
- Object to requirements of design brief as this will stifle innovation.
- Requirement to retain the remnant orchard will result in inefficient use of the land.
- Objection to seeking to control the housing mix in the absence of justification for both affordable and open market housing.

Site NYMH3

- The Extra Care facility itself will generate need for more affordable housing
- Concern about use of Ashwood Close as the only access to the site. Existing access through Ashwood Close is inappropriate.
- Loss of the sports field would have significant impact on the cricket, football and tennis clubs. Increased population will require more not less sports provision.
- Plans for some of the site to be used to extend the Bowling Club facilities.
- Design of the extra care facility is not in keeping with Helmsley
- Height of up to 2.5 storeys is not appropriate on this site. A low level, low density development is more appropriate.
- The level of development proposed for this site is out of proportion for the town.

- Impact of increased traffic generation, noise and light pollution
- Reduction in value of existing residential properties.
- Loss of connectivity between built form and open countryside.
- The 60 units should not be separated from the overall housing provision figure.
- Existing owners would need to be given access to the rear of their properties.
- The Extra Care Facility should be located on the A170.
- The view of the town from footpath through Ashwood Woods would be ruined.

Site NYHM8

In relation to proposed use as a convenience store

- Increased traffic from the use of a supermarket
- Housing sites should not be able to mutate into retail use
- Proposed convenience store is too far away from town centre.
- Will have a devastating impact on the viability of Helmsley town centre.
- The Co-op could extend into the area currently rented by Thomas the Bakers.
- There are already empty shops in the town and an out of town convenience store would make this worse.

Residential allocation of site NYMH8

- Concerns regarding residential amenity of existing residents.
- Concerns over the use of the existing footpath/field access track by vehicles accessing the housing.

Sites 174 and 183

- Concerns about increased flood risk resulting from development.
- Cannot get insurance for the properties on Storey Close, further development will exacerbate the problem of flooding.
- Development will have detrimental effect on local wildlife.
- There are restrictive covenants on site 183 and therefore it cannot be allocated for residential use.

EMP1 and EMP2

- Support for these sites coming forward early in the plan period
- Support for the allocation of these sites for employment use.
- No need for any more industrial development in the town.

Sites not allocated

- The justification for not allocating the larger area of site NYMH1 on the basis of medieval field patterns lacks evidence and justification.
- There is no visual impact assessment to justify that the development of the larger area of site NYMH1 will have an adverse impact on long distance views.
- There is a lack of evidence that the development of site NYMH2 would change the open landscape character of this part of the town.

Comments on Draft Plan and how the Plan has been Changed

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
	35	Mr and Mrs R and D Sunderland	Comment	Given the development is adjacent to residential bungalows all of which are occupied by elderly residents we would hope that any development on the site would be sympathetic to the existing residents' needs.	The impact on residential amenity will be considered when determining the detailed design of the scheme.
All	2	Marine Management Organisation		No comments	N/A
All	241	RSPB	Support	Do not have any concerns to raise	Noted
	17	Redcar and Cleveland Borough Council		No Comments	N/A
	14	The Coal Authority		No Comments	N/A
Development Limits	70	English Heritage	Comment	Criterion (g) states that "important open spaces have been identified on the Proposals Map". However the plan on page 25 does not identify any such areas.	Reference to the identification of important open spaces has been changed to important open views on the policies map.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Development Limits	68 English Heritage	Support	We endorse the basis upon which the Development Limits have been defined. We particularly support criterion (e) (the exclusion of burgage plots) and criterion (g) (the exclusion of important open spaces on the edge of the town). This will help to ensure that there is less pressure for the development of elements which contribute to the historic character of the town.	Noted.
Development Limits	69 English Heritage	Comment	In order to avoid any confusion, it would be better to also include mention of the landscape setting of the town (which is a key element to its character).	Reference to the landscape setting has been added to criteria (g) of the Development Limit section in paragraph 5.18.
General	4 Mr C Christie	Comment	Page 5 says that the National Park has the highest status of protection to conserve and enhance the natural beauty. I trust this principle will underlie all discussions on siting, design etc of development. I hope that any development will be as unintrusive as possible and full consideration given to existing inhabitants.	The Draft Helmsley Plan refers to the need to make reference to the adopted Design Guides of the North York Moors National Park and these consider in detail the requirement to conserve and enhance the special qualities of the National Park . Policy H9 'Design' has been added to the Publication version of the Plan , which seeks to maintain the landscape of the National Park.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	94 England and Lyle	Support	We consider the approach adopted by the Plan to fully accord with existing and emerging development plan policy and the NPPF.	Support noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
General	77	The Home Builders Federation		<p>The document is heavily reliant upon the Ryedale Core Strategy and North York Moors Core Strategy and Development Policies. The Ryedale Core Strategy is currently undergoing examination and therefore the policies within this document will need to have due regard to the outcome of the examination, particularly with regard to housing requirements. The North York Moors Core Strategy and Development Policies document was adopted under a different national planning context prior to the publication of the National Planning Framework. The HBF cannot identify whether a thorough assessment of the North York Moors Core Strategy and its policies has been undertaken against the requirements of the NPPF. The National Park will be aware that NPPF paragraph 213 requires plans to be revised where they do not adequately take into account national policies. It is imperative that the Helmsley Plan is based within the context of the NPPF.</p>	<p>The National Park Authority has carried out an assessment of compliance of policies against the NPPF policies, which is available on the Authority's website. The housing requirements for the Helmsley Plan are based on the figure for the whole of Helmsley identified in the Ryedale Local Plan Strategy and this approach was recently found sound by the Planning Inspector. The Ryedale Local Plan Strategy has been adopted and has full weight as part of the development plan for Ryedale. This figure meets some of the needs of the National Park given the close interrelationship. The North York Moors National Park commitment to the allocation of sites in Helmsley has been set out in the Core Strategy and Development Policies document, which was adopted in 2008. The approach for housing development set out in the Core Strategy and Development Policies Document is supported by the English National Parks and the Broads UK Government Vision and Circular 2010, which states that the Government recognises that the Parks are not suitable for unrestricted housing and does not therefore provide general housing targets for them. In the case of Helmsley the town is split by the</p>

National Park boundary and therefore both authorities consider that a co-ordinated approach provided the most appropriate planning solution. The text in section 5 has been amended to reflect that It is within this context that the housing provision figure in the plan has been set.

General

41 Mrs V A Moorby

Comment

It is somewhat ironic that the Conservation Area is to be increased - which is commendable - at the same time as nearby infringement, not to say desecration of other areas is proposed. There should be no greenfield development around Helmsley, while there are still undeveloped sites within the town and while there are many buildings, both residential and commercial which are currently unoccupied or underoccupied, with the retail sector in its present state a number of properties could with imagination be returned to residential use. This could be achieved with little difficulty and lead to much benefit, thereby increasing the housing stock.

The level of development which needs to be allocated through the Helmsley Plan cannot be accommodated within existing brownfield sites and therefore needs to be located on greenfield land. The Helmsley Plan has also identified the opportunity for "windfall" development, however the NPPF requires that unless a robust case can be made this should not be included in the overall supply and will be in addition to the provision figure.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	100 England and Lyle	Comment	<p>Ryedale District Council, through the emerging Ryedale Local Plan, currently envisages that there is a need to deliver about 150 additional dwellings in and around Helmsley over the next 15 years. This figure has not yet been confirmed and is not yet adopted but is likely to represent a minimum housing requirement figure for the Town for the plan period. The supply of land within the existing settlement limits of Helmsley, that is available for housing is very limited. Policy H1 identifies just one site 'commitment'. As a result it will be necessary to identify greenfield sites on the edge of the town to fully meet the town's objectively assessed needs over the plan period. The Council and the National Park Authority have undertaken a thorough review of all available options around the edge of Helmsley and have identified a range of sites that will be capable of meeting the identified housing requirement, as well as providing an element of choice and competition, in a sound and sustainable manner. This includes our client's site - NYMH3 Land North of Elmslac Road.</p>	Noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
General	240	Stone and Bean Associates obo Thomas the Baker	Comment	In order to ensure that Thomas the Baker remains in Helmsley they will need to be able to sustainably expand and this requires either upgrading and adoption of Sawmill Lane or access through Riccal Drive to Station Road/Sawmill Lane. A more direct route out onto the A170 would reduce the number of properties subject to potential disturbance.	The Helmsley Plan is concerned with ensuring that new development can be accommodated on the highway network. The proposed allocations do not seek to use Sawmill Lane for access and therefore it is not a requirement of the Plan to seek its upgrading. However the Planning Authorities acknowledge the business needs of Thomas the Bakers and will work with them and the developers of Sites EMP1 and EMP2 to facilitate future expansion. The current proposed access to sites EMP1 and EMP2 are via Riccal Drive.
General	198	Environment Agency	Support	We are pleased to see that our previous comments dated 2 March 2012 are included in the development briefs for sites where flood risk varies around the site. The briefs stipulate that water compatible uses such as public open space/ habitat areas are steered towards the highest flood risk areas. This applies to sites 174, 183 and NYMH8 where there are some areas of flood zones 2 and 3 (medium and high risk).	Noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	197 Environment Agency	Comment	We are pleased to see that the proposed residential allocations have taken the sequential approach and the sites coming forward are all within flood zone 1, low flood risk. This complies with development policy 2 (flood risk) of the North York Moors National Park's Core Strategy and Development Policies, as well as policy SP17 (managing air quality, land and water resources) of Ryedale's Local Plan Strategy.	Noted.
General	24 NYCC	Comment	The Local Highways Authority (LHA) has previously provided feedback on the early Helmsley Plan discussion papers. As well as considering the accessibility and impact of the existing network in the Helmsley area the LHA highlighted the need to consider the priority and strategic nature of the A170.	Noted.
General	120 Mr Peter Holmes Johnson	Comment	Currently there are many homes and shops for sale in Helmsley, some of which have been on the market for some time. These could be developed, without damaging the countryside.	There is a requirement to build at least a 150 new homes in Helmsley over the plan period, there is insufficient existing empty stock to meet this level of need.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	118 Mr Peter Holmes Johnson	Comment	All of the proposed sites in Helmsley will be significantly detrimental to the preservation of the Yorkshire countryside and the North York Moors National Park. The Ryedale Council and the North York Moors National Park Authority need to explain more fully the justification for spoiling several beautiful areas in Helmsley. If development is required and this is not certain, the Council should examine again other sites in Helmsley and nearby towns. Ideally no building should be contemplated on greenfield sites or be allowed within the National Park unless it is within existing boundaries and does	Government guidance requires Local Planning Authorities to meet their full objectively assessed housing needs and where there are restrictions to this they must be robustly justified. Ryedale District Council have a provision figure to deliver at least 150 new homes in Helmsley over the plan period. As the town is split by the National Park boundary both authorities are working jointly to assess the most suitable sites for development to meet the housing needs of the town. The sites that have been identified for allocation are considered the most appropriate for a range of reasons including their impact on the National Park's special qualities. There is clearly insufficient land available within the town to provide the required new homes.
General	65 English Heritage	Comment	The Plan is setting out a strategy not just for the development "in" the town, but also around the existing built-up area.	Noted. This has been clarified in the introduction.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	51 Helmsley Town Council	Support	Helmsley Town Council has been a party to the drafting of the Plan and I can confirm its support in principle for the Plan's overall vision for the development of the town, the selection of sites for new housing and the allocation of site EMP1 and EMP2 for employment land.	Support noted.
General	52 Helmsley Town Council	Comment	We recognise that the town has to grow during the 15 year period, both to contribute to wider housing needs and in order to remain sustainable as a market town economy and as a lively community. We place great importance, however, on the conservation of the town's distinctive character, which includes its compactness as well as its traditional architectural styles and materials. We are particularly concerned not to see 'suburban sprawl' in the north east quadrant of the town - and therefore wish it to be clearly established that sites NYMH1 and NYMH8 represent the maximum extent of development in that quadrant for the foreseeable future, rather than a starting point for further negotiation as the Plan period advances.	The allocations in the Helmsley Plan set out where development will be supported over the plan period. The Plan is clear that apart from windfall sites located within the Development Boundary only development on these sites will be supported. The allocated sites therefore define the extent for new development over the plan period.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	62 English Heritage	Comment	The section sets out a good overview of the town's historic development and the many heritage assets in and around the settlement that contribute to its distinct identity, its tourism economy and the quality of life of its communities.	Noted.
General	61 English Heritage	Comment	There needs to be a statement setting out the precise extent of the area which is covered by this Local Plan. Presumably it is the area depicted on page 25.	Noted. This has been added to the introduction at paragraph 3.4.
General	60 English Heritage	Comment	It would greatly assist those commenting on the plan if the paragraphs were numbered	Noted. The Publication version is numbered.
General	134 Beth and Jonathan Davies	Comment	We feel that the Authority has put its desire to help Ryedale with its housing allocation before its first purpose which is deeply regrettable. Helmsley is a thriving place and we acknowledge the need for measured additional housing but the addition of over 200 new units in such a short space of time will change the character of the town and will have an adverse impact on the special qualities of the National Park.	The NPPF requires that Local Planning Authorities meet their full objectively assessed housing needs. The figure for Helmsley of 150 has been based on a range of evidence including household population projections and has been found sound by the Planning Inspector following examination of the Ryedale Local Plan Strategy. Commitment to a joint allocation plan with Ryedale District Council is long established in the Core Strategy and Development Policies Document.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	119 Mr Peter Holmes Johnson	Comment	Currently it is understood that no conversions of existing buildings or new buildings are allowed in the North York Moors National Park. The NYMH3 plan shows approximately 95 new units/houses within the National Park. The Council is making it too easy for developers to build on greenfield sites. There are plenty of other areas in Helmsley and other local towns which could be developed.	There is a requirement to build at least a 150 new homes in Helmsley over the plan period as a result of increases in the population and changes to the demographics of the town and this figure has been found sound by the Inspector following the examination of the Ryedale Local Plan Strategy. There is insufficient brownfield land within the town to accommodate this level of development. The National Park policies support the conversion of existing buildings where they do not conflict with National Park Purposes.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
General	19	Sport England	Comment	<p>While the National Planning Policy Framework has radically simplified the Planning system in England, a central tenet of Plan-making remains that the plan must be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. The NPPF explains that Local Planning Authorities should set out the strategic priorities for the area, including strategic policies to deliver the provision of health, security, community and cultural infrastructure and other local facilities. Paragraph 171 falls within the section of the NPPF that sets out advice on the evidence base that Plans need, and deals with Health and Well-Being. It advises;“Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation, and places of worship), including expected future changes and any information about relevant barriers to improving health and well-being.” This advice is amplified in the section of the</p>	<p>An Open Space, Sport and Recreation Study was carried out by Ryedale District Council in 2007. The Strategy included the whole of Helmsley and is considered to be up to date.</p>

NPPF that deals with promoting healthy communities. Paragraph 73 states; "Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required." In light of the above, it is Sport England's policy to challenge the soundness of Local Plan and Local Development Framework documents which are not justified by; an up to date playing pitch strategy (carried out in accordance with a methodology approved by Sport England) and an up to date built sports facilities strategy (carried out in accordance with a methodology approved by Sport

England). For a playing pitch strategy to be considered “up to date”, it should have been undertaken within the last three years. For a built facilities strategy to be considered “up to date” it should have been carried out within the last five years. The situation for Helmsley is complicated by the fact that for planning purposes it falls partly within Ryedale and partly within the National Park, but our understanding is that neither authority has up-to-date strategies dealing with playing pitches or built sports facilities.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	13 Mono Consultants Limited	Comment	<p>We would take this opportunity to comment that we consider it important that there is a telecommunications policy within the emerging Helmsley Plan. It is recognised that telecommunications plays a vital role in both the economic and social fabric of communities. National guidance recognises this through Section 5: "supporting high quality communications infrastructure" of NPPF which provides clear guidance as to the main issues surrounding telecommunications development. The NPPF at paragraph 42 confirms that; "advanced, high quality communications infrastructure is essential for sustainable economic growth and play a vital role in enhancing the provision of local community facilities and services". Paragraph 42 of NPPF confirms that "in preparing local plans, local planning authorities should support the expansion of telecommunications networks". But should also "aim to keep the numbers of radio telecommunications masts and sites for such installations to a minimum consistent with the efficient operation of the</p>	<p>Noted. Policy 13 'Telecommunications Installations' has been added to the Publication version, which sets out criteria against which new development of this nature will be assessed.</p>

network. Existing masts, buildings and other structures should be used unless the need for a new site has been justified". Further advice on the siting and design of telecommunications and good practice procedural guidance is contained within the Code of Best Practice for Mobile Network Development (2002). This builds on the Ten Commitments to ensure that the industry is alive to the concerns of local communities and consultation is built into the development process. On this basis we would suggest that a concise and flexible communications policy should be included within the Helmsley Plan. Such a policy should give all stakeholders a clear indication of the issues that telecommunications development will be assessed against. The proposed wording of policy is set out in response.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
General	11	Dr Paul Harris	Comment	These two consultation events have not been publicised in the Gazette and Herald; why not? I don't think sufficient local residents have been made adequately aware of the proposals. Only six weeks consultation period: many people are on holiday and have not been able to attend either of the two sessions.	Flyers were put up around the town advertising the 2 consultation events and a press release was issued to the local press, which received great interest. The consultation events were deliberately arranged 3 weeks apart in order to try and allow for holidays etc. At the initial consultation stage a paper was sent to every resident in the town. A database has been compiled of all those who responded and a letter about the consultation was sent out to all these people. Officers also attended a meeting of the Town Council to discuss the consultation.
General	232	NYCC	Comment	In landscape terms there is general support for the joint-authority approach, with allocations needing to be developed with sympathetic design criteria in mind.	Support noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	231 NYCC	Comment	With respect to library facilities there is an issue in the town, particularly with regard to lack of available / affordable community venues. The library's current location at Helmsley Town Hall requires a commercial rent which has been deemed unaffordable by other natural community partners such as Ryedale DC, the Police, and Helmsley Town Council. This means that at present there is no single, coherent community centre or hub in the centre of town. Some clarity on this going forward will be useful.	The Authorities are looking into CIL and RDC have published a PDCS for consultation. Developer contributions are taken to ensure that the infrastructure requirements (on site and off-site) needed to support development over the plan period are put in place. They are not to be used to remedy existing problems (unless the new development places has an effect on these which requires attention) or to entirely replace existing revenue funded services/ facilities. Clearly commercial issues with existing private landlords are outside the scope of the Helmsley Plan or CIL. Ryedale District Council prepared an Infrastructure Delivery Plan (IDP) which is informing the emerging infrastructure list for CIL, and this issue has not been previously highlighted by NYCC as being required. Therefore it has not been highlighted in the Helmsley Plan. The Authorities will have an ongoing discussion with NYCC regarding infrastructure requirements in the progression of the Helmsley Plan and CIL.
General	9 Dr Paul Harris	Support	I am fully in agreement with your underlying policies.	Noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
General	18 Mr and Mrs E Kirby	Comment	More people work in tourism than in agriculture. Planners should make it easier for property owners to convert/replace buildings on brownfield sites, not just restrict planning conversion to traditional buildings only. This could be done sympathetically to improve and enhance the National Park.	This is out of the scope of the Helmsley Plan.
General Comments	136 Beth and Jonathan Davies	Comment	We would also like to know how the NPA will be able to control the release of land for development to ensure that all development does not take place at the same time.	All sites will require detailed planning permission. A flexible approach to phasing of development has been adopted to ensure there is an ongoing mix of new housing being delivered. Further text on phasing has been added to the Publication version on page 16.
General Comments	135 Beth and Jonathan Davies	Comment	It seems illogical that the housing units to be provided by the care facility are not being incorporated within the overall figures and we would urge the NPA to address this	The approach not to deduct the Extra Care provisions from the planned levels of housing provision which has been adopted in the Helmsley Plan complies with the overall approach of Ryedale District Council's Local Plan Strategy which has been found sound by an independent Planning Inspector.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Highways Access to S	234	Stone and Bean Associates obo Thomas the Baker	Comment	Sawmill Lane and Station Road have their difficulties and Highway Access from Riccal Drive to to these roads should be sought.	The access issues will need to be negotiated with the developers of sites EMP1 and EMP2 to try and resolve this issue. The purpose of the Helmsley Plan is to ensure that new employment land can be accessed appropriately rather than provide a solution to existing problems. However where there are opportunities to resolve existing issues Officers will work with stakeholders to achieve the most suitable outcome.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
NYMH8	48 Stan Houston	Object	<p>At the Wharfedale presentation on July 9 we were assured that the mature trees lining Linkfoot Lane would be retained. This must in our view, be insisted upon to preserve the existing appearance of this main route into Helmsley. The proposed supermarket is unattractive and unnecessary. There is already the BATA shop at this end of town and putting another shop here could adversely effect businesses in the centre of Helmsley. Helmsley's existing character must be protected and anything that threatens the balance of this small market town is unacceptable. Road access is also a concern for this site. Would the existing bus stops have to be moved? Would this be safe or sensible? Additional traffic from a residential development at this site might be managable - that from a supermarket would not.</p>	<p>The Helmsey Plan will allocate sites for housing and employment development only. Any proposal for retail use will need to be assessed against Policy H5.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
NYMH8	8 Ms Jen Harris	Object	<p>Page 18 of the Draft Development Plan quite rightly emphasises the importance of Helmsley as a retail centre. Page 19 states that there should be no harm to the vitality and viability of the town as demonstrated through a robust impact assessment. The proposal by Wharfedale Homes to build a retail unit on this site is contrary to the above statement and will jeopardise the future of Helmsley Town's economic success. The proposed unit will have approximately double the floor area of the existing Co-op store in Helmsley Market Square. This new store will be anticipating a doubling of customer sales and this will result in a significant reduction of business for the Town Centre retail outlets. Shoppers will be drawn from the town centre leading to closure of some outlets as they cease to be economically viable. This will impact on both residents and visitors since the range of high quality independent retailers in Helmsley Town Centre will be reduced and Helmsley will cease to be the vibrant economic centre we currently enjoy.</p>	<p>Noted. Any application for out of town retail use will be assessed against Policy H5 contained in the Helmsley Plan.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Objectives	63	English Heritage	Support	We support the proposed objectives for the Plan especially the final two bullet points relating to the conservation and enhancement of the special qualities of the town and the retention of its historic character.	Noted.
Objectives	137	Barton Willmore obo Wharfedale Homes	Support	Supports the 4 main objectives of the Plan.	Support noted.
Phasing	144	Barton Willmore obo Wharfedale Homes	Object	The wording on page 13 relating to the phasing of 'over 15 years' is ambiguous and this should be changed to reflect the wording in the policy	The plan period will be up to 2027 in order to align with the time period of the Ryedale Local Plan Strategy. Further text on the phasing of development has been added to the Publication version of the Plan, which explains that a flexible approach has been adopted.
Plan Period	138	Barton Willmore obo Wharfedale Homes	Object	Objects to the plan period up to 2027 as this should be at least 15 years as set out in the NPPF. A clearly established plan period is essential for the purpose of calculating the housing requirement, the housing trajectory, the five year land supply and consideration of whether it is necessary to address any backlog in delivery.	The plan period has to be 2027 to be in line with the Ryedale Local Plan Strategy the basedate of which is 2012. The NPPF states that Local Plans should be be drawn over "an appropriate timescale". Officers consider this to be appropriate.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Plan Period	78 The Home Builders Federation	Object	<p>The plan period identifies that it will set the spatial approach to development for the next 15 years, yet the plan period only extends until 2027. This will effectively provide, at best, 13 years post adoption and not the preferred 15 years as indicated by NPPF paragraph 157. Whilst it is recognised the plan period of 2012 to 2027 will align with the Ryedale Core Strategy, presuming it is found to be sound. However, the plan period appears confused throughout the document. For example Table H1 indicates the phasing of development within the plan but this extends to 2028. It is recommended that the plan provides a clear and consistent period throughout the document. For example Table H1 indicates the phasing of the development within the plan but extends this to 2028. It is recommended that the plan provides a clear and consistent period throughout. If the period is less than 15 years adequate justification should be provided. Establishing the plan period is essential for the purposes of calculating the housing requirement, the housing trajectory, the five year land supply and consideration of</p>	<p>The timescale of the Plan must reflect the timeframe of the Ryedale Local Plan Strategy of 2012 - 2027. The NPPF talks about "preferably a 15 year time horizon" and the basedate of the Ryedale Local Plan Strategy reflected this.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
			whether it is necessary to address any backlog in delivery.	
Poicy H10	195 Environment Agency	Comment	The current text portrays green infrastructure merely as amenity green space and neglects to mention its importance for biodiversity and flood risk. This should be addressed in the next draft of the plan.	Policy H11 'Green Infrastructure' has been amended to refer to biodiversity and environment systems as well as amenity green space.
Policy H1	79 The Home Builders Federation	Comment	As noted above Table H1 which is part of policy H1 identifies a confused phasing of sites with the plan indicating a period from 2012 to 2027 yet the timescale runs from 2013 until 2028. Whilst it is accepted that some sites may not be fully developed until after the plan period this needs to be clearly stated. The non-completion of sites until after the plan period will inevitably impact upon the plan requirement of 150 housing units by 2027. Whilst it is noted the plan provides allocations for more than 150 dwellings, it is not clear how this late phasing will impact upon the overall delivery.	Noted. Further information on the approach to the phasing of development has been added to the Publication version of the Plan on page 16.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	143 Barton Willmore obo Wharfedale Homes	Object	<p>Object to the housing requirements as the 150 is not adequately justified in the plan and has not been assessed fully in accordance with up to date evidence for the cumulative needs of both authorities. In short, the plan is specific to Helmsley and as such the housing delivery needs to be specific to Helmsley. The background text to the policy is heavily focused on discussing the needs of Ryedale. It begins on page 12 by discussing the affordable housing needs of Helmsley before then going on to discuss in great detail the needs of Ryedale and the Ryedale Local Plan Strategy and its approach to supply. Wharfedale Homes consider this is muddled and unclear. There is a need to provide additional evidence within the background text that clearly identifies the needs of the National Park for which Helmsley is the Service Centre. The North Yorkshire SHMA identified a an annual need for 18 affordable units in Helmsley. This level of provision would indicate a need for c 270 affordable housing units in Helmsley over the plan period. Wharfedale Homes is concerned that the allocated sites will</p>	<p>The National Park Authority has carried out an assessment of compliance of policies against the NPPF policies, which is available on the Authority's website. The housing requirements for the Helmsley Plan are based on the figure for the whole of Helmsley identified in the Ryedale Local Plan Strategy and this approach was recently found sound by the Planning Inspector. As argued at the Examination, this figure also assists in addressing some of the needs in the National Park. The Ryedale Local Plan Strategy has been adopted by Ryedale District Council and has full weight as part of the development plan for Ryedale. The North York Moors National Park commitment to the allocation of sites in Helmsley has been set out in the Core Strategy and Development Policies document, which was adopted in 2008. The approach for housing development set out in the Core Strategy and Development Policies Document is supported by the English National Parks and the Broads UK Government Vision and Circular 2010, which states that the Government recognises that the Parks are not suitable for unrestricted housing and does not therefore provide general housing targets for them. In the case of</p>

deliver very few affordable homes from developers contribution. If need cannot be met the plan will need to allow for an increased total number of houses to make up this deficit. The Ryedale Local Plan Strategy housing figures are based on out of date figures from from the RSS and Wharfedale Homes considers there is a requirement for RDC and the NYMPA to produce an up to date evidence base, specifically for Helmsley which takes into account recent household projection figures of both authorities. This is because a district wide approach is not relevant here and is the reason why the Helmsley Plan is needed. The Helmsley Plan will need to have due regard to the outcome of the Ryedale LPS examination, particularly in regards to housing requirements.

Helmsley the town is split by the National Park boundary and therefore both authorities consider that a co-ordinated approach provided the most appropriate planning solution. It is within this context that the housing provision figure set out in the adopted Ryedale Local Plan Strategy has been adopted by the National Park Authority. The text of the Plan has been amended to clarify this context.

Policy H1

142 Barton Willmore obo
Wharfedale Homes

Object

There is no supportive evidence to justify the phasing of housing sites. This restrictive policy is contrary to the provisions of NPPF paragraph 47 which seeks to significantly boost the supply of housing.

It is entirely appropriate that phasing of the site is included to ensure that requirements are met over the plan period. Further clarification on the approach to phasing has been added to the Publication version of the Plan on page 16.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	158 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes considers that the phasing of housing sites is not adequately justified in the plan or the supporting evidence. If a site is deemed to be suitable for development and allocated to deliver the housing needs of the area it should be made available for development now and not artificially constrained by policy. Page 17 makes reference to monitoring housing closely in conjunction with the delivery of housing across Ryedale. The district wide approach is not relevant here which is why the plan was needed in the first place.	The phasing of development is explained on page 16 of the Publication version of the Plan.
Policy H1	26 Ms Christine Wright	Comment	All the homes must be for local working people. None must be sold for holiday letting, as there are too many homes already in Helmsley which are empty for most of the year.	The Helmsley Plan requires that 40% of all new housing is affordable to meet the needs of local people. The Planning Authorities are unable to control open market housing and therefore cannot prevent them being used as second homes.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	80	The Home Builders Federation	Comment	The phasing of housing sites is not adequately justified in the plan or in the supporting evidence. If a site is deemed to be appropriate for development and required to deliver the housing needs of an area it should be made available for development now and not artificially constrained by policy. Such an approach is contrary to the provisions of NPPF paragraph 47 which seeks to significantly boost the supply of housing.	Further information on the approach to the phasing of development has been added to the Publication version of the Plan on page 16.
Policy H1	146	Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes support the inclusion of current housing commitments within Policy H1 as this directly affects future housing requirements. However reference to future housing commitments in paragraph 4 should be clearer and include the number of units and name of the site.	Noted. The number of units and name of sites with existing consents has been added to Policy H1. The allocated sites and current commitments will allow for at least 150 units to be delivered.
Policy H1	5	Mr C Christie	Comment	On page 9 it says "housing to meet local needs only". This may not be 100% deliverable but developers should not be allowed free reign to expand. It is important that housing development be released gradually as per note on page 9.	Noted. Sites allocated in the Plan will be supported for new development. Further details on how development will be phased has been set out in the Publication version of the Plan.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	145 Barton Willmore obo Wharfedale Homes	Comment	<p>It should read 'at least 150 dwellings'. Wharfedale Homes considers that the NYMPA has not undertaken a thorough assessment of the housing requirements within the National Park against the requirements of the NPPF. Section 62 of the 1995 Environment Act states that National Park Authorities should seek to foster the economic and social well-being of the local community, therefore an assessment of local needs within the National Park is vital. At present the NP does not have a housing target but anticipates that future completions will be of a similar average annual figure of 26 units which is based in the period 1991-2007. Using this figure as a baseline NYMPA could potentially accumulate an additional 390 dwellings over a 15 year period for which the majority of growth is directed towards Helmsley. At present using this figure the potential growth has not been accounted for within the plan. Wharfedale Homes contests that there is no up to date evidence base that reflects the local needs of the National Park. It is not clear how the 26 dwellings per annum stated in the NYMNP Core</p>	<p>The North Yorkshire SHMA identifies a need for 20 affordable units per year over the next 5 years to meet the existing backlog (5 of these arise from within the National Park). However this is set within the context of a National Park, where the 2010 circular states that Government recognises that Parks are not suitable locations for unrestricted housing. The sites which have been identified are considered suitable for development and are not considered to harm the special qualities of the Park, whereas further development will. The Authorities will seek to achieve the highest possible affordable housing contribution viable. The levels of growth for the town have already been established through the examination of the Ryedale Local Plan Strategy and the purpose of the Helmsley Plan is to allocate the sites to deliver this level of growth.</p>

Strategy and 150 dwellings per annum from the Ryedale Local Plan Strategy have been reconciled against the provisions of the NPPF.

Policy H1

7 Ms Jen Harris

Object

The intention to build approximately 150 residential units is not being supported with adequate employment opportunities. The new houses risk attracting more retired people to Helmsley or becoming second homes.

The Helmsley Plan allocates 1.9ha of employment land in the town in order to support the expansion of existing businesses in the town and attract new employment opportunities. There is a requirement for up to 40% of all new units to be affordable to meet identified housing needs in the local area. These units will remain affordable to local people through the implementation of a legal agreement. The Authorities are unable to restrict the use of the open market properties and there is a risk that these will be occupied by retired people or as second homes in the same way as all open market housing stock.

Policy H1

159 Barton Willmore obo
Wharfedale Homes

Comment

The housing requirements must jointly take into account the need of both Ryedale District Council and the National Park.

The further information on the housing provision figure has been added to the supporting text of Policy H1.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	148 Barton Willmore obo Wharfedale Homes	Support	Wharfedale Homes supports the provision of an extra care facility and it is agreed that this should not be included in the overall requirements for 150 new homes as this aligns with DCLG guidance on cumulative housing requirements. However Wharfedale Homes suggests that the provision should not be limited to the NYCC scheme to ensure there is no conflict of interest.	NYCC have been referred to in the Plan as they are working with developers on bringing this site forward. The need is also supported through evidence. The Plan does not preclude other extra care facilities coming forward if the need can be justified.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	81	The Home Builders Federation	Comment	<p>The policy also requires 5% of all new dwellings to be bungalows on sites above 50 units or more. Whilst this requirement would only potentially apply to one site in Helmsley there appears little justification for its requirement. Whilst it is noted that the 2010 Ryedale SHMA indicates a district wide deficit in such properties, this does appear to be followed into the more recent 2011 North Yorkshire SHMA, including the Ryedale annex. However even if this requirement can be justified by the evidence it should only be used as a guideline. It should also be noted that the needs of the elderly can be met in several ways including extra care housing, for which there is an allocation in Helmsley. A specific requirement may have the effect of stalling development and could jeopardise the delivery of this site.</p>	Noted. Text on the justification for the requirement for 5% of all new dwellings on proposals greater than 50 units has been added to paragraph 5.11 of the Publication version.
Policy H1	22	NYCC	Support	<p>In strategic planning terms the Plan's proposed measures for housing numbers (including affordable homes provision) appears to be appropriate as regards both national policy and the Ryedale Local Plan Strategy.</p>	Noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	82	The Home Builders Federation	Comment	Putting aside issues relating to the appropriateness of the housing requirement for Helmsley as set out within the Ryedale Core Strategy, the principle of identifying more sites than the plan requires in Helmsley is generally supported as this will ensure flexibility within the plan to enable it to meet its targets. If, however development exceeds the 25% local tolerance levels this should not, as inferred in the plan, be used as a brake upon development. Such a stance would be contrary to the NPPF which seeks to boost significantly the supply of housing. Additional housing over and above the targets set for Helmsley will assist Ryedale in meeting its overall housing need and assist in alleviating the affordable housing issues within the town.	Noted. Further text has been added to the plan to clarify phasing. The phasing has been flexibly applied with indicative end times rather than start times as some sites may require longer lead in times.
Policy H1	157	Barton Willmore obo Wharfedale Homes	Support	Wharfedale homes generally support the suggestion that 30 dph is an appropriate housing density and welcomes the plans flexibility in suggesting dependence on individual site assessments.	Support noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H1	147 Barton Willmore obo Wharfedale Homes	Support	Wharfedale Homes supports the requirement of Policy H1 that at least 5% of all new dwellings on developments of more than 50 units must be bungalows.	Support noted.
Policy H10	201 Environment Agency	Comment	The existing draft falls short of the overarching policy SP14 of the Ryedale Local Plan, and provides little direction as to requirements for developers. In order to be compliant with the Ryedale Local Plan and NPPF, the policy should be rewritten as: All development proposals within the Plan area must demonstrate a net gain in green infrastructure and biodiversity, commensurate with the scale of the development. This should include expansion and enhancement of green infrastructure assets. This more aspirational policy would deliver more for local residents and the environment, whilst giving developers a better steer as to what is required when proposing new developments within the plan area.	Noted. Policy H11 'Green Infrastructure' has been amended to reflect these concerns and now addresses biodiversity and green infrastructure assets.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H11	167 Barton Willmore obo Wharfedale Homes	Comment	The introduction of CIL needs to be based upon an identified infrastructure deficit within an associated infrastructure delivery plan. The plan should highlight some broad infrastructure schemes which are considered necessary by both Local Authorities. The Councils will also need to consider how any other infrastructure will be funded and delivered. Our client is concerned at the range of contributions identified and the cumulative impact on the ability to provide meaningful amounts of affordable housing.	Further information on the infrastructure requirements for Helmsley have been added to the Publication version of the Plan.
Policy H11	168 Barton Willmore obo Wharfedale Homes	Comment	It should also be highlighted that design requirements with each development brief will also have significant cost implications. This is something which needs to be carefully thought through when setting affordable housing provision requirements.	As set out in Policy H3 an affordable housing requirement of up to 40% affordable housing will be sought subject to independent viability assessment as this recognises that viability will be dependent on the detailed design requirements of schemes.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H11	169 Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes accepts that the background text does specifically set out that any Section 106 agreements will be used to fund infrastructure improvements directly related to the development of a site. However, the policy itself is not explicit as to the difference between S106 and CIL contributions. Wharfedale Homes advise that this needs to be made explicitly clear to avoid any confusion as to where the contributions go.	Further clarification on the use of CIL and S106 agreements has been added to the Publication version of the Plan to address these concerns.
Policy H11	170 Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes notes that the Plan does not have any policies for sport and recreation provision for the town but wants contributions for this within each development brief. It is recommended that there is a need for policy H11 to set out guidance on contributions expected from developers.	Noted. Sections 12 and 13 of the Publication version of the Plan sets out in detail what contributions will be sought for and through which mechanisms.
Policy H11	171 Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes recommends that there should be a clear policy provision for the enhancement of open spaces and pathways. These details can then be provided within the development briefs.	Noted. This has been included in the revised text and is also set out in the Development Briefs.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H11	89	The Home Builders Federation	Comment	It is noted that Ryedale District Council and the National Park Authority are considering the introduction of the Community Infrastructure Levy. It is important that the Council undertake a thorough viability assessment of all plan policies both within the National Park, Ryedale and Helmsley Plans prior to its introduction. The levy should not be set at the margins of viability as this is likely to jeopardise plan delivery.	If CIL is introduced it will be supported by robust evidence and will be subject to independent examination. Ryedale District Council have now published the Draft Charging Schedule for consultation, which sets out likely tariffs having regard to drawing back from the margins of viability and having considered the policy requirements of the Local Plan Strategy and the emerging Helmsley Plan policies. The National Park Authority are currently awaiting a report on possible tariffs and if this is progressed it will be consulted on.
Policy H11	92	The Home Builders Federation	Comment	While the HBF does not wish to comment upon individual sites it is important that the viability of the sites proposed is adequately assessed with developers within the area. The cumulative impact of contributions required upon each site must also be considered and the Council should not seek to unduly burden development in line with NPPF paragraph 137.	Ryedale District Council are currently consulting on the Draft CIL charging schedule which is based on a robust assessment of viability and with reference to the NPPF.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H11	20 Sport England	Comment	Sport England notes the Plan's identification of quantitative deficiencies in outdoor and indoor sports and qualitative deficiencies in outdoor sports, but given our concerns about the Plan's evidence base we would query how this has been established.	The deficiencies have been identified through the Ryedale Open Space, Sport and Recreation Study 2007, which is considered up to date.
Policy H11	90 The Home Builders Federation	Comment	If CIL is adopted this should be the only tool for collecting funds to address the cumulative impacts of development on types of infrastructure. It is noted that the proposed allocations indicate site specific and wider (generally highway) infrastructure improvements required in Helmsley. The policy, therefore, needs to explicitly explain any funds received through section 106 will relate solely to the requirements necessary to make the development acceptable in planning terms; be directly related to the development and be fairly and reasonably related in scale and kind to the development. They should not seek to rectify existing deficits or wider strategic infrastructure issues as this is the role of CIL.	Noted. The Publication version of the Helmsley Plan clarifies the distinction between S106 requirements and CIL.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H11	166 Barton Willmore obo Wharfedale Homes	Comment	Prior to the introduction of a Community Infrastructure Levy it is vital that the Councils undertake a thorough viability assessment of all plan policies, of both the National Park Core Strategy, Ryedale Local Plan Strategy and also the Helmsley Plan.	Noted. If CIL is adopted by the authority it will be supported by evidence and be subject to independent examination. Ryedale are currently consulting on a draft charging schedule which has considered viability issues in detail.
Policy H11	91 The Home Builders Federation	Comment	The introduction of CIL also needs to be based upon an identified infrastructure deficit within an associated delivery plan. It is noted that the plan does indicate some broad infrastructure schemes which are considered necessary by the Council. It is, however, important that the Council consider how this and any other infrastructure will be funded and delivered. If the infrastructure identified cannot be delivered the Council will need to prioritise the infrastructure and ensure its delivery would promote development.	Noted. The Publication version of the Helmsley Plan provides more details about the infrastructure requirements and the role of CIL. The Authorities will be required to meet the CIL regulations if CIL is to be introduced which includes a regulation 123 infrastructure list setting out the details of required infrastructure improvements.
Policy H2	149 Barton Willmore obo Wharfedale Homes	Comment	Generally supportive of the approach to windfall developments, however this policy should make it clear that windfalls will not count towards overall supply targets in Helmsley.	Further clarification on this has been added to paragraph 5.16.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H2	150	Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes accepts the general principle of defining development limits as part of the policy , however we would argue that the limits should be more widely drawn to include the whole of site NYMH1 and Site NYMH2.	The reasons why these sites are not allocated is set out in the Plan. The inclusion of these sites within the development boundary would mean that they are considered appropriate for development which is contrary to the outcome of the Site Selection Methodology assessment.
Policy H2	67	English Heritage	Comment	The Conservation Area Appraisal notes the importance of the various open spaces throughout the town of which the burgage plots are only one element. It would be preferable to amend this bullet-point in order to ensure that these other spaces are also appropriately protected. It would also be preferable to use the terminology of the NPPF.	Noted. Reference to open spaces within the town has been added to Policy H2.
Policy H2	83	The Home Builders Federation	Comment	The background to this policy identifies that no windfall allowance has been made in the land supply forecasts. Whilst such an approach is generally supported it is important that the development of windfall sites are not used as a reason to invoke a brake upon development if the 25% local tolerance is surpassed. The policy should make clear that windfalls will not count towards overall supply targets for the settlement.	Noted. Text has been added at paragraph 5.16, which clarifies that windfalls will form 'committed' housing supply.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H2	84	The Home Builders Federation	Comment	The policy identifies that windfalls outside of the defined development limits will be restricted to those of an essential or exceptional nature. It is considered that such a stance is overly restricted and an unnecessary requirement. Applications should be considered on their merits against the provisions of the NPPF which already provides protection for National Parks and rural areas from inappropriate development. An overly restrictive policy may prevent beneficial development taking place.	The approach of the Helmsley Plan complies with the North York Moors Core Strategy and Development Policies and the adopted Ryedale Core Strategy, which do not allow for development in open countryside, sites outside of the Development Boundary would be considered as open countryside.
Policy H2	66	English Heritage	Support	Subject to the change below, we support the policy which will assist in ensuring that any windfall developments which come forward do not harm the historic environment of the town or those elements which contribute to its distinctive character.	The policy has been amended to include reference to conservation of elements which contribute to the historic character of the town.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	85	The Home Builders Federation	Comment	<p>The need for affordable housing is identified within the North Yorkshire SHMA which identifies a requirement for 20 units per year in Helmsley. Over the 15 year life of the plan this would equate to 300 units, double the planned housing requirement. If the overall housing requirement for Helmsley were increased this would greatly assist in reducing the affordable housing need in the town.</p>	<p>The reference to the requirement for 20 units per year in the North Yorkshire SHMA is for a five year period in order to address the existing backlog. The delivery of affordable housing must comply with the NPPF but must consider National Park Purposes and the English National Parks Circular 2010. Paragraph 14 of the NPPF specifies that Local Plans should meet objectively assessed needs unless specific policies in this Framework indicate development should be restricted and a footnote says that such an example are National Parks. The housing figures for the whole of Helmsley were discussed at length during the Ryedale Local Plan Strategy examination. As argued at the Examination, this figure also assists in addressing some of the needs in the National Park. The Local Plan Strategy has now been adopted and has full weight as part of the development plan for Ryedale.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	86	The Home Builders Federation	Comment	<p>The plan states that the requirement for up to 40% affordable housing on sites of 5 or more within Helmsley. Whilst the Entec and Stoughair reports on affordable housing viability identify potential viability in Helmsley no account is taken of abnormal costs or the full cumulative costs of planning obligations. A nominal £5,000 figure is identified for obligations, however the full cost of plan requirements in line with NPPF paragraphs 173 and 174 are not explored. It is essential that the Council undertakes such work prior to adopting the affordable housing requirements, it is also noted that the Entec study was undertaken in 2010 and the Stroughair study does not specifically look at sites in Helmsley, therefore the Council may wish to update this to take account of current economic circumstances.</p>	<p>Policy H3 requires an affordable housing provision of up to 40% subject to independent viability assessment this will take account of any abnormal costs. This level of affordable housing provision is supported by the viability assessments carried out by both Authorities, which assessed the general viability of housing development, taking account of planning obligations and therefore considered robust. The basis for the 40% affordable housing requirement is supported by viability assessments carried out by both Authorities but is subject to negotiation if the developer believes it cannot be made. This will be carried out on an open book viability basis.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	87	The Home Builders Federation	Comment	<p>Whilst the provision for negotiation upon the affordable housing requirement is welcomed this should not be used as a standard remedy to an unsustainable policy. It is essential that the Council provides clear evidence that the cumulative impact of all developer contributions will not unduly burden development in the majority of cases. The requirement for the prescriptive 10% intermediate/90% social rented tenure mix, should be amended to allow flexibility of tenure mix on a site by site basis based upon development viability and local needs at the time of development. Such inflexibility may inhibit the development of sites which will only lead to exacerbation of current affordability issues in Helmsley.</p>	<p>The Authorities are considering the introduction of CIL in Helmsley, which will need to be based on robust evidence and will be subject to independent examination. The tenure split reflects the problems of mortgage availability for shared ownership schemes and the high house prices in the town. Although this requirement has been removed from the policy, paragraph 5.24 specifies that the starting point for discussions will be 90% social and affordable rent and 10% intermediate. The basis for the 40% affordable housing requirement is supported by viability assessments carried out by both Authorities but is subject to negotiation if the developer believes it cannot be made. This will be carried out on an open book viability basis.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	151	Barton Willmore obo Wharfedale Homes	Comment	<p>Wharfedale homes is very concerned that the housing need identified within the North Yorkshire SHMA is not achievable through developer contributions alone. While viability implications have been identified within the financial viability assessment carried out by both authorities in 2011, no account is taken of any abnormal costs or the full cumulative costs of planning obligations for each site. Furthermore the full cost of plan requirements in line with NPPF paragraphs 173 and 174 are not explored. If the Councils are not able to provide a sufficient level of affordable housing from their permissions then it is suggested that the Plan will need to allow for an increased total number of houses to make up this deficit.</p>	<p>The housing requirement for Helmsley was debated and supported through the examination of the Ryedale Local Plan Strategy, which has now been adopted. The North Yorkshire SHMA identifies a need for 20 affordable units per year over the next 5 years to meet the existing backlog (5 of these arise from within the National Park). However this is set within the context of a National Park, where the 2010 circular states that Government recognises that Parks are not suitable locations for unrestricted housing. The sites which have been identified are considered suitable for development and are not considered to harm the special qualities of the Park, whereas further development will. The Authorities will seek to achieve the highest possible affordable housing contribution viable.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	152 Barton Willmore obo Wharfedale Homes	Comment	<p>Wharfedale Homes is broadly supportive of the policy requirement for up to 40% affordable housing on sites of 5 or more dwellings within Helmsley. However an alternative is that the plan could require affordable housing provision to be in the range of 25% to 40% for all sites.</p> <p>Wharfedale Homes would be supportive of such an approach so other developers do not create unrealistic land value expectations and then argue against affordable housing provision on the grounds of viability.</p>	The policy is currently worded to say a requirement of up to 40% will be sought, which is supported by evidence collated by both Authorities. The target is subject to negotiation where a developer believes this level cannot be met and will be carried out on an open book basis.
Policy H3	153 Barton Willmore obo Wharfedale Homes	Object	<p>Where developers argue that 40% affordable housing is not viable on particular scheme the plan outlines that an assessment will be carried out by Ryedale District Council's in house valuer. Wharfedale Homes consider this is too restrictive and should be removed from the plan.</p>	Independent viability assessment on an open book basis is standard practice where a developer argues that the requirement is not viable.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	154 Barton Willmore obo Wharfedale Homes	Object	Our client objects to the inclusion of prescriptive requirements for the affordable housing tenure mix at 90% social and affordable rent tenures and 10% intermediate. A prescriptive approach of this nature may hinder the development of sites. Wharfedale Homes considers the requirement should be amended to allow flexibility of tenure mix on a site by site basis. That way the affordable housing provision will be based upon development viability and local needs at the time of development.	This requirement has been removed from the policy itself, however paragraph 5.24 of the supporting text specifies that the starting point for discussions will be 90% social and affordable rent and 10% intermediate.
Policy H3	156 Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes considers that the references to the North Yorkshire Strategic Housing Assessment are confusing and inconsistent and need to be amended accordingly. The background text to Policy H3 on page 16 of the plan identifies a gross annual housing need for 20 affordable units per year. However on page 12 this figure is 18 per year. This is a significant difference of 30 homes over the 15 year plan period.	The supporting text referring to an affordable need of 18 units has been amended to 20 to reflect the need identified in the SHMA.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3	53 Helmsley Town Council	Support	The Council particularly welcomes the aspiration throughout the plan to achieve a 40 per cent level of new affordable housing, if a satisfactory balance is to be maintained between working and retired residents and across the age spectrum.	Support noted.
Policy H3	155 Barton Willmore obo Wharfedale Homes	Comment	The background text to the policy on page 16 indicates that all affordable housing provision will be restricted to occupancy to people from the local area. Wharfedale Homes considers that the explanation of describing people from the local area is vague and needs further explanation within the text. This paragraph explains that allocations for properties will be made via North Yorkshire Home Choice Based Letting schemes. Wharfedale Homes is concerned that there is no mention of landlords or other Registered Providers. For example, Helmsley Estates is a significant landlord in the town and may wish to provide some affordable housing. Therefore it is considered that this approach should be amended accordingly in consistency with the Ryedale Local Plan Strategy.	The Authorities acknowledge that the Duncombe Park Estate are a major landlord in the town, however the allocation of affordable units needs to be done in an open and transparent way and therefore this should be through Choice Based Lettings, which RPs and private landlords can sign up to.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H3 and Site NY	54 Helmsley Town Comment	Comment	We also welcome the proposed extra care facility, but wish to highlight the fact that by creating a significant number of low waged jobs which would otherwise have to be filled by commuters from other towns and villages, which facility in itself will increase the need for affordable units.	The extra care facility will provide a number of employment opportunities which will be available to suitably qualified local people. The development of new employment opportunities alongside affordable housing development will help to retain the sustainability of the town.
Policy H4	23 NYCC	Support	In strategic planning terms the Plan's proposed supply of land for business appears to be appropriate as regards both national policy and the Ryedale Local Plan Strategy.	Noted.
Policy H5	71 English Heritage	Comment	It is not clear what "town centre uses as defined in national policy" refers. There is no definition of "town centre uses" in the NPPF.	Noted. The policy has been amended to clearly define town centre uses.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H5	161 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes is broadly supportive of the provision of a local floor space threshold for retail impact assessments in accordance with paragraph 26 of the NPPF. At present the policy backgroud states that the floorspace limits have been set at a scale appropriate for Helmsley without further explanation. Therefore the policy lacks any justification as to how the Councils have reached these thresholds and on that basis the policy is unsound. Wharfedale Homes would advise justification be added to the background text to substantiate this requirement and for the purposes of soundness.	The threshold is based upon the evidence contained in the Ryedale District Council Retail Capacity Study carried out by Roger Tym and Partners.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H5	160 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes is supportive of the inclusion of the first two requirements in relation to sequential tests and impact assessments because they are consistent with paragraph 24 and 26 of the NPPF. However the requirement, that the development must provide considerable demonstrable benefits to the community, cannot be considered sound because it is not consistent with national policy and is not justified within the policy background. Wharfedale Homes would advise that this requirement is completely removed from the policy in order to bring policy H5 in line with National Policy.	Noted. This requirement has been removed from the policy.
Policy H8	73 English Heritage	Comment	The Helmsley Conservation Area Appraisal identified not simply important views but many other aspects which contribute to the distinct character of the town (and which should, as a result, be conserved). The conclusions of this appraisal should be used as the basis of a Policy which will safeguard all the elements which contribute to the character of Helmsley.	Noted. Policy H8 has been expanded and a new policy H9 'Design' has been added to the Plan to reflect the other distinctive patterns of the town.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H8	162 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to this policy as it is too general, lacks any evidence to substantiate its requirement and is inconsistent with national policy.	Policy H8 has been included as it refers to the important views, vistas and skylines which are influenced by the town's historic core and the setting of the National Park. Further text on these characteristics have been added to the supporting text.
Policy H8	74 English Heritage	Comment	<p>Whilst the Design Guide and Conservation Area Appraisal are extremely helpful in terms of providing further guidance to users of the plan (and potentially are capable of being material considerations in planning decisions), they do not form part of the development plan and therefore do not carry the same weight as the policies in an adopted local plan. Consequently such guidance is not an appropriate substitute for those circumstances (like the case in this Local Plan) where there is a clear need for a detailed policy.</p>	Noted. The policy and supporting text has been amended to reflect these comments.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H8	72 English Heritage	Comment	Whilst we support this policy to protect open views, this is only one element which contributes to the distinctive character of Helmsley. Given the fact that the attractiveness of the town is a key component of its economic well being and the quality of life of its community, this policy should be expanded to provide a framework for conserving all the features which contribute to its character.	Noted. Policy H8 8 has been expanded and a new policy H9 'Design' has been added to the Plan to reflect the other distinctive patterns of the town.
Policy H8	133 Beth and Jonathan Davies	Comment	Policy H8 states that windfall sites should respect views out of the settlement into open countryside. We contend that this consideration should be made in all development sites within the NPA especially given the NPA's first purpose. For those of us who live in the area and either work in Helmsley or who no longer drive/don't leave Helmsley that often the views of open countryside that can be enjoyed from Carlton Road and Elmslac add enormously to our quality of life.	Policy H8 will apply to all proposals not just windfall sites.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H8	163 Barton Willmore obo Wharfedale Homes	Object	It is noted that the proposals map on page 25 of the plan does identify 4 important open views within Helmsley. This includes views through the non allocated site: site NYMH2, which is currently within our client's control. Notwithstanding this, the policy does not set out any justified conclusions or assess whether some development on site NYMH2 could be successfully accommodated. Wharfedale Homes considers that if no sound evidence can be provided to justify the importance of the proposed views, then this policy should be deleted and replaced by a design related policy.	The policy and supporting text to policy H8 has been amended to include the important views which play an important role in the setting of the Conservation Area and the National Park
Policy H8	164 Barton Willmore obo Wharfedale Homes	Comment	This policy should consider how the design of new developments should respond positively to its surroundings in terms of massing, fenestrations, detailing and scale.	Noted, a new policy H9 on 'design' has been added to the Publication version of the plan.
Policy H8	165 Barton Willmore obo Wharfedale Homes	Comment	The policy could also include a requirement that development must preserve or enhance the setting of the Conservation Area and affected Listed Buildings. These are merely suggestions at this point.	Noted. The policy and supporting text to policy H8 has been amended to include the important views which play an important role in the setting of the Conservation Area and key historic buildings.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H9	6 Mr C Christie	Comment	On page 21 it says that new buildings should incorporate renewable energy technologies. Not I hope unsightly roof top wind machines.	There are a wide range of renewable energy options available and the nature of those proposed will need to consider the impact on the character of a particular location. However policy H10 'Renewable Energy' has been amended to reflect the requirement to consider the special qualities of the National Park.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H9	88 The Home Builders Federation	Comment	<p>The policy requires all new residential development to comply with Building Regulations and meet the highest 'Code for Sustainable Homes' (or its successor) that is feasible and viable on the site. Building regulations are the Government's national standards for construction and therefore compliance with the regulations do not need to be stated within a planning policy. The need for development to meet the highest standards of 'Code for Sustainable Homes' should be deleted. The Code for Sustainable Homes is a voluntary set of national standards devised by the house building industry. Since it is voluntary the Council should not attempt to make such standards mandatory. Whilst the policy would provide opportunities for negotiation the reliance upon site specific (or open book) assessments of viability as a remedy to unsustainable policies is not an acceptable approach as it will simply slow down the development process and introduce further costs for the developer. It is therefore recommended that the requirement be deleted and developers encouraged to build</p>	<p>The reference to meeting the highest 'Code for Sustainable Homes' standard (or its successor) that is feasible and viable on the site has been supported by the Inspector in the Ryedale Local Plan Strategy. The terms feasible and viable are considered flexible and unlikely to slow down the speed of decision making or a cost burden on the developer.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Policy H9	196 Environment Agency	Support	to such standards. We support policy H9 to ensure that development that comes forward is of the highest design quality so that less water resource is used.	Support noted.
Site 174	191 Barton Willmore obo Wharfedale Homes	Object	Page 43 of Plan notes a restrictive covenant on this site, which prevents the development of the site for residential use. Wharfedale Homes objects to the allocation of this site within Policy H1 as it is not available because the respective landowners for this site and site 174 are not cooperating. The site should, therefore, be discounted as it is not available or deliverable.	The Authorities are working with the owners of the site to overcome the issues relating to the restrictive covenant.
Site 174	112 Ryedale Walking Group/Ryedale Rambers	Comment	We note the presence of PROW 25.45/6/2 and 25.45/7/1 to the south and east of the development site on the land south of Riccal Drive. Our group will consider the final plans for these sites when they are published and comment further then. At present we take the view that existing PROWs should be maintained and that Council's have a duty to protect these for the benefit and enjoyment of residents.	Noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 174	192 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to the allocation of this site within Policy H1 of the Plan. It is our Clients understanding that access constraints exist on the site. Therefore, the availability and deliverability of the site is questionable and the site should be discounted on that basis.	The Authorities are working with the owners of this site to overcome the access issues to this site.

Site 174	75 English heritage	Comment	As the development brief for this site notes, the land at Riccal Drive lies close to three round barrows. Consequently we welcome the requirement that proposals for this area will need to demonstrate that they will not harm any elements which contribute to the significance of these assets.	Noted.
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Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 174	105 Mr Christopher Rose	Comment	The site lies to the south of the A170 and is accessed via Riccal Drive. It is flat and is just north of the River Rye. The Spittle Beck bounds the site to the east. The site includes area noted as Flood Zone (3) on the EA flood zone map of 2009. A buffer zone is essential to the west to mitigate against flood risk, and a full site specific flood risk assessment must be undertaken, as the site is larger than one hectare. This assesment must be updated to include the flooding which occurred in 2012, when on occasions there was what amounted to a lake all the way to Harome.	The detailed planning application for these sites will need to be accompanied by a Flood Risk Assessment.
Site 174	236 Stone and Baker Associates obo Thomas the Baker	Comment	Concerns about the proposed use of the site as residential and it might be sensible to consider a considerable buffer zone between the two uses as it is likely that the employment zone will create many nuisance items to the enjoyment of the dwelling house.	Noted. Following discussions with the developer reference to buffer zones between residential and employment land has been added to the development briefs for sites EMP1 and EMP2.
Site 174	237 Stone and Bean Associates obo Thomas the Baker	Comment	it is noted that this site floods - would a sequential flood test indicate that this site, or the lower portion of it, might be better allocated for an alternative use to residential?	A flood risk assessment will be required if the site is over 1ha.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	109 Mr Christopher Rose	Comment	Enhancement of tree cover is essential to margins and within the site, to retain moisture in an area with a high water table. Housing may be detrimental in these conditions.	Text has been added to the development brief which requires the retention of existing trees on the boundary of the site.
Site 183	113 Ryedale Walking Group/Ryedale Ramblers	Comment	We note the presence of PROWs running on the east side of the proposed site (25.45/7/1) and the short section of footpath on the former railway line in the north west corner of the proposed site (25.45/9/1 and 25.45/9/2) on the land east of Riccal Drive. Our group will consider the final plans for these sites when they are published and comment further then. At present we take the view that existing PROWs should be maintained and that Council's have a duty to protect these for the benefit and enjoyment of residents.	Noted.

Site 183

111 Mr Christopher Rose

Comment

Well prior to the flooding of 2012, insurers have refused flood protection cover and consider properties in Storey Close to be "at grave risk of flooding". The buffer zone on site 183 might have to be on such a scale as to preclude the proposed development, unless the residents and industrial users in other settled areas of Helmsley to the west are to be put at an unreasonable increased risk.

The Environment Agency require a Flood Risk Assessment at detailed planning application stage.

Site 183

108 Mr Christopher Rose

Comment

Green linkage in the area of Spittle Beck is essential for species such as bats, badgers, otters and white clawed crayfish. Having development which includes domestic pets will have a detrimental effect on the wildlife diversity in the area.

An appropriate assessment has been carried out, however an ecological survey will be required at detailed application stage.

Site 183

107 Mr Christopher Rose

Comment

Historical concerns, such as the three round barrows, as scheduled ancient monuments, require setting that do not detract from the quality of the heritage environment. This should have a significant impact on the western area of site 174.

Reference to protection of the round barrows has been included within the development brief for the site.

Site 183

104 Mr Christopher Rose

Comment

Development may have a detrimental effect on local wildlife.

An appropriate assessment has been carried out, however an ecological survey will be required at detailed application stage.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	103 Mr Christopher Rose	Object	The contours of the existing land from Spittle Beck eastwards, across the site to the road, and further towards the settled land of Storey Close should be analysed, to establish if flood water run-off from the north and from the beck will aggravate flood damage to residents if further development takes place.	A Flood Risk Assessment will be required at detailed application stage.
Site 183	102 Mr Christopher Rose	Object	In view of the 2012 flood events and the position of insurers to the flood risk within Storey Close we ask that a full site specific flood risk assessment be undertaken on site 183 before any future development is contemplated on this open land.	A flood risk assessment will be required at detailed application stage.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	101 Mr Christopher Rose	Object	<p>The site lies to the east of Storey Close , a group of settled residential properties, within the built form of Helmsley and Spittle Beck. The modern housing estate of Storey Close appears within, in part, Flood Zone (2) as indicated in the Environment Agency Flood Zone Map at 1:10000 scale dated 2009. Although the site is shown as clear of flood investigation in 2009, flooding across the site in 2012 did occur. Even prior to 2009, it proved impossible to secure insurance in Storey Close, which was deemed to be at serious risk. The site is noted as occurring, in the majority, within Flood Zone (2) along the roadway, as shown on the EA map. Flood Zone (3) is noted as being located along the margins of Spittle Beck. The draft consultation plans suggest that a buffer zone should be located along the margins of Spittle Beck so that when the beck floods, there will be some land for it to overflow on to , rather than flooding properties. Should the land be developed for up to 45 dwellings and in the light of the flood water in 2012 we maintain that the development of the land would gravely exacerbate the potential for over flooding</p>	<p>The Environment Agency require a Flood Risk Assessment at detailed planning application stage.</p>

westwards, on to the settled areas of the Storey Close estate in future flood events. We also maintain that notwithstanding the inclusions of a sustainable drainage system as part of a developers specification, the installation of the footprint of 45 dwellings within site 183 will significantly impede the behaviour of flood water in future events, to the detriment of residents in Storey Close. The site is clearly a potential flood plain area.

Site 183

76 English Heritage

Comment

This site lies closer to the three round barrows than site 174. Consequently to ensure consistency within the plan the first paragraph of the constraints for site 174 (on page 39) should be repeated within the corresponding section of site 183.

Noted. This has been added to the Development Brief.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	238 Stone and Bean Assoicates obo Thomas the Baker	Comment	<p>This site is better shielded from the potential neighbouring uses if it is to be developed as general housing. If the land to the south is to be developed as employment use, then the increased traffic using Riccal Drive would need to be considered. Not least the possibility of residential car parking on the street on both sides which could be dangerous and a potential negative issue with regard to attracting employers. Therefore we suggest any housing should not front onto Riccal Drive. It might be worth considering a green buffer set back in the building line which is characteristic of parts of Helmsley.</p>	<p>Points noted. These are considerations which will need to be addressed as a materplan for the site is taken forward. Detailed issues of amenity will be considered through the detailed planning application process.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	106 Mr Christopher Rose	Comment	It is noted that up to 50 residential units are contemplated for the period 2023 to 2028. Sited on two sides, east and south, by river courses that are a potential for flooding, care should be taken to include 1:100 flood event. Construction on a potential flood plain has the potential to constrict stormwater run off, and to increase the chance of flooding the developed properties to the west. The use of sustainable drainage systems may not be sufficient to accommodate storm water management in severe weather conditions, should the site be developed as proposed.	The Environment Agency have confirmed that a Flood Risk Assessment will be required at detailed planning application stage.
Site 183	199 Environment Agency	Comment	We note that for this site, there is no mention in the brief of submitting a Flood Risk Assessment which is required for a site over one hectare in size in Flood Zone 1. The following sentence must be included in the flood risk paragraph; 'As the site is larger than 1 hectare, a Flood Risk Assessment will be required.'	Noted. The development brief has been amended accordingly.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site 183	56 Helmsley Town Council	Support	This is a very suitable site for housing which has been neglected as wasteland for many years. The Town Council would hope to see the 'restrictive covenant' issue resolved by the parties concerned so that development might take place earlier than 2023-28.	Noted. Further details on the phasing of development has been added to paragraphs 5.6 to 5.8 of the Plan with the intention of enabling sites which support the delivery of employment land to come forward.
Site 183	110 Mr Christopher Rose	Comment	The contours of the land should be carefully considered as the land is largely flat and the site specific flood risk assessment should consider that a slight rise in flood water would extend to a larger area than now considered, if a 1:100 year event is taken into account.	The Environment Agency require a Flood Risk Assessment at detailed planning application stage.
Site EMP1	193 Barton Willmore obo Wharfedale Homes	Support	Wharfedale Homes agrees that this site represents a good opportunity for future employment opportunities as the site already adjoins an existing employment area.	Support noted.
Site EMP1 and EMP2	57 Helmsley Town Council	Comment	We would like to see these sites available for development earlier than 2023-28.	Noted. Further details of the phasing of development has been added to the Publication version of the Plan on page 16.
Site EMP2	194 Barton Willmore obo Wharfedale Homes	Support	Wharfedale Homes agrees that this site represents a good opportunity for future employment opportunities as the site already adjoins an existing employment area.	Support noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH1	178	Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes would like to express its concern over the benefits of retaining the remnant orchard, as this will result in inefficient use of the site and therefore additional land will be required.	The Authorites consider that the remnant orchard does have value which is worth considering in the development brief for the site. However the text has been amended in light of the comments.
Site NYMH1	174	Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to the Plan's attempts to control the housing mix without justification for both affordable and market housing. The Brief needs to either clearly identify the local demand for these types of properties or remove the requirement.	Paragraphs 5.10 and 5.11 set out the requirements in terms of mix of housing, this reflects the shortfalls identified in the Ryedale 2010 SHMA.
Site NYMH1	175	Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to the requirement that all units should meet Lifetime Homes and Secured by Design Standards. Lifetime Homes is now outdated and Secured by Design is unnecessarily restrictive and unnecessary in such a rural landscape.	The supporting text of Policy H1 at paragraph 5.10 makes reference to the fact that building properities to Lifetime Homes Standards ensures that new dwellings are flexible and adaptable to create accommodation which is suitable for a range of households. Specific reference to meeting Lifetime Homes Standards and Secured By Design has been removed from the Development Briefs, however text has been included which refers to consideration of the implications for crime.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH1	226	Dr Neil Mayfield and Mrs Louise Mayfield	Comment	There are few jobs around here and due to its distance from larger towns I am very concerned that any houses will become second homes or we will become a commuter town.	The Helmsley Plan will also allocate new employment land, however there are already many jobs currently within the town.
Site NYMH1	176	Barton Willmore obo Wharfedale Homes	Object	The Brief requires that the design of the development should reflect the density and character and patterns of the Elmslac Estate. Paragraph 60 of the NPPF states that planning policies should not set out unsubstantiated requirements to conform to certain development forms or styles. Wharfedale Homes therefore objects to these requirements and asks that it is removed from the Development Brief because it does not conform to the requirements of the NPPF.	Noted. Reference to the adjacent area has been amended to say "the character of the development should replicate and reinforce the existing street patterns being no greater than 2 storeys in height".

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH1	37	Dr Neil Mayfield and Mrs Louise Mayfield	Object	<p>The site is a beautiful area with far reaching views over the countryside. Many people, local residents and visitors alike enjoy walking here as it gives instant easy access to the countryside but is still in the town. Green spaces are vital for all of our wellbeing. As well as an agricultural field used for livestock the field has a wealth of wildlife - owls, curlews, bees - is it right to take this away? Our countryside is slowly being built on all over England surely the National Park should be safeguarding our landscape for wildlife, farming and future generations.</p>	<p>The Helmsley Plan aims to balance the requirements of meeting objectively assessed housing needs with protecting the special qualities of the National Park. The Local Planning Authorities must make provision for building new housing in their areas to provide homes to meet the changing demography of Helmsley and its environs. There are no brownfield sites in the Town which can accommodate new development and therefore the loss of some countryside is inevitable. A Habitats Regulation Assessment has been carried out as part of the plan process and there is no evidence of protected species utilising the site and Natural England have been consulted throughout the process.</p>
Site NYMH1	177	Barton Willmore obo Wharfedale Homes	Object	<p>Our Client objects to the requirement to replicate open space found at Ryedale Close as this is considered to impose a particular taste and stifle innovation and originality. This requirement should be removed from the Development Brief as it does not conform to the requirements of Paragraph 60 of the NPPF.</p>	<p>Noted. This has been removed from the development brief.</p>

Site NYMH1

172 Barton Willmore obo
Wharfedale Homes

Support

Wharfedale Homes control this site and very much welcomes its proposed allocation for housing within the Plan. Our Client agrees that the site has no significant constraints which would preclude its development.

Support noted.

Site NYMH1

173 Barton Willmore obo
Wharfedale Homes

Comment

The proposed yield of 60 units, outlined within Policy H1 and the Development Brief, is considered deliverable. However, the wording within Policy H1 must confirm this.

Noted.

Site NYMH1

180 Barton Willmore obo
Wharfedale Homes

Object

Wharfedale Homes objects to the inclusion of developer contributions for waste recycling vehicles and broadband. This is a separate matter for CIL ; however, we would like to confirm from the outset that our Client is not in support of this.

Objection noted. This will need to be addressed through the examination of CIL.

Site NYMH1

130 Beth and Jonathan Davies

Comment

We would like to know why the development limited to the east of this site tapers out beyond the existing building line.

The development brief seeks an area of landscaping/open space along this eastern boundary to soften the impact of the built development, this has also been identified on the Policies Map.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH1	129	Beth and Jonathan Davies	Object	<p>During the last round of consultation we objected to the development of the field adjacent Carlton Road because of the impact on the views of the mature trees afforded from the road and their parkland-type setting which combine to create a breathtaking vista. We, along with many other local residents who enjoy this view, and deliberately walk out of our way to enjoy the view, signed a petition requesting that this view be taken into consideration. We are therefore very disappointed to see these that these comments have been ignored and are not even acknowledged in the Plan. The result is that the proposed development line extends to the north side of Feversham Road this blocking this view into open countryside. During the last round of consultation there was a suggestion made by the NPA that, as a compromise, a more angled, tapered site might be suggested which would address this issue and we wonder why this has not materialised.</p>	<p>Following lengthy discussions with developers the site has been significantly reduced to the area identified as a preferred site. All of the sites submitted have been assessed through the Site Selection Methodology criteria, this concluded that the proposed allocation of site NYMH1 will not have an adverse impact on the Special Qualities of the National Park. A larger area which has been submitted by the developers to the north of this site has not been allocated due to the impact on the National Park landscape.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH1	179	Barton Willmore obo Wharfedale Homes	Object	Our Client considers that there is no justification for a phasing approach as discussed within paragraphs 3.3 and 5.11 of these representations. The inclusion of timescales within the Development Brief should be deleted.	The Plan has been amended to provide further details of phasing and the timescale set out in the development briefs and are indicative of when development is likely to take place.
Site NYMH1	38	Dr Neil Mayfield and Mrs Louise Mayfield	Object	There will be an impact on the amount of vehicles here which impacts on safety, air quality and accessibility to the main road.	The development of the site will undoubtedly lead to an increase in the amount of vehicles using Carlton Lane, however the Highways Authority consider this can be accommodated by the existing infrastructure.
Site NYMH1, Site 18	49	Stan Houston	Comment	It is essential in our view that Ryedale District Council insist on the utmost care being taken, both in planning and site development to ensure that building near Spittle Beck does nothing to reduce the viability of existing flood meadows. New homes should not be built where there is a risk of flood and should not be permitted if their addition to the landscape increases or extends the risk of flood to existing residential areas.	All the sites proposed for allocation in the Helmsley Plan are within FloodZone 1 with some parts in Flood Zone 2 in order to minimise flood risk. The development briefs seek the use of Sustainable Drainage Systems in order to mitigate threats of surface water run off. Where development is greater than 1ha in size a Flood Risk Assessment will be required at full planning application stage. The Environment Agency have been consulted throughout the Helmsley Plan process.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	25 Helmsley Bowling Club	Comment	<p>In 1995 Helmsley Bowling Club sought to extend the bowling green eastwards to create a larger bowling surface by extending into part of the old hockey field and the adjacent agricultural land. The Helmsley Estate confirmed on 18 April 1995 that in principle it was agreeable to sell land for the proposed extension and support the club's planning application. Helmsley Parish Council in a letter dated 26 April had no objections to forfeiting the land the club required. The North York Moors National Park Committee before being the Planning Authority granted permission for the proposed development, subject to conditions, on 26 June 1995. However at that time lack of finance prohibited the matter being taken further. Helmsley Bowling Green is one of the best in Ryedale. It is maintained by our members to a very high standard and has been approved for play at County level for a number of years. This year it has been used for Yorkshire Bowling Association matches throughout the summer season. However these matches can only take place north to south as the east to west rinks are not long</p>	<p>The aspirations of the Bowling Club are noted, however the owner of the land has subsequently agreed to sell it to the developers of Site NYMH3.</p>

enough for competition play. The committee is confident that if the green can be extended eastwards to allow competition play both ways and enable additional seating to be erected on the east side we would attract more matches and therefore more revenue as on such occasions visitors use the Sports and Social Club bar facilities as well as bringing revenue into the town. With consideration presently being given to the Draft Helmsley Plan which in its present form affects the area into which we seek to develop, the Bowling Club Committee wishes to reiterate their wish to pursue this matter and is seeking support from the Trustee, Helmsley Recreation Charity and Town Council.

Site NYMH3

58 Helmsley Town Council

Comment

The Town Council has concerns about vehicle access to the site, which we understand is intended to be via Ashwood Close only. Have all other possible access points been considered, and if such why have they been eliminated?

Further negotiations are taking place between the developers and the owners of the land at the top of Elmslac Road to try and resolve the issue of access.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	59	Helmsley Town Council	Comment	We note the requirement for replacement of the overflow sports field - but point out that there is a long-term plan on the part of the Bowling Club to enlarge its existing bowling green, which adjoins the north-west corner of the site. The proposal should be looked at closely to see whether it can be achieved to the north of the development site. A S106 or CIL contribution towards this and other improvements to the sports complex would clearly be a welcome gesture from the developer of this site.	This point is noted, however the owner of the site has agreed to the allocation of this site.
Site NYMH3	43	Mrs V A Moorby	Object	Traffic flow through Ashwood Close would increase greatly turning a tranquil, safe cul-de-sac into a busy through road	Officers from the Highways Authority have visited the site and consider the use of Ashwood Close is appropriate for the use proposed. The impact of the development will need to be assessed through a robust traffic impact assessment at detailed planning stage.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	3 Simon Read and Frances Toynbee	Object	<p>The site is referred to in the Plan as an "overflow sports field": the use of the word "overflow" appears intended to indicate its superfluity or lack of regular use in some way. It is not an overflow sports field - it is the second cricket pitch for the club, which runs more teams than its main pitch can otherwise accommodate. It forms part of a superb community facility that the whole town and those living nearby can use: the cost is minimal. The views from the land in question are superb and the atmosphere at the Club is inclusive and nurturing for the young players. The nearby Ampleforth College has marvellous cricket facilities and potential for football pitches but despite its charitable status these are of course sadly not available to us or the wider public. Ryedale School has limited sports facilities. Neither school is in Helmsley, even if they could and did offer alternative provision. Therefore the loss of this land in Helmsley for cricket and football would have a seriously detrimental effect on the availability of truly local recreational facilities for the community - especially the younger members, who</p>	<p>The Authorities recognise the importance of retaining important community facilities. The proposed development of site NYMH3 will not proceed unless a replacement site in an appropriate location as been agreed with the owners.</p>

(typically and understandably for a small market town) are not best served as it is. It is our understanding that Policy H7 concerns loss of Community Facilities. Proposals which will result in the loss of Community Facilities should, we understand, be resisted unless it can be demonstrated that the site is no longer suitable or viable for the current use. We understand that DPCC is interested in alternative provision of adjacent land by the same landowner that owns the land proposed for development, but without binding undertakings to this effect, the Authority should not authorise the loss of such a wonderful amenity.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	44 Mrs V A Moorby	Object	<p>The proposed housing development should be turned down on the grounds of general comments already listed. The extra care housing whilst an admirable idea in principle did not appear at the consultation event to have been fully thought through. The proposed houses should not be three storey on this or probably any other site. In this location it is particularly intrusive coming between an area of mainly bungalows and the beautiful countryside beyond.</p>	<p>The proposed site is abutted by a range of single storey bungalows and two storey houses and it is within this context that the development will be seen. The design brief contained in the plan aims to reduce the impact of the extra care facility by limiting it's size to 2.5 storeys.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	46 Helmsley Tennis Club	Object	<p>Whilst not being averse to development it is my view that should the field be taken for development it is imperative a replacement field of similar quality and close to the present amenities is not only promised but is actually in black and white on the planned development drawings. Not only is this because of historic and present use but also with the planned expansion of the village population there will be a need for at least the present sports facilities if not more. The tennis club have some 30 odd members and whilst some of my colleagues may well also write I am sure they all feel the same, namely that on the application there must be a substitute for the loss of this field.</p>	<p>Comments are noted. The development brief requires the identification of an appropriate alternative site to replace the playing field.</p>

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	47	Robin Wray	Object	As a member of Helmsley Tennis Club and the Sports and Social Club for over 40 years I would like to express my concern and objection to the proposed development of site NYMH3. As several generations of Helmsley have been using the site I would have thought that morally and legally the inhabitants of Helmsley should continue to enjoy the use of it in perpetuity. Should there be a concrete and binding offer of another field of similar size for recreation and sport adjacent to the main Sports Field I would withdraw my objection.	Comments are noted. The development brief requires the identification of an appropriate alternative site to replace the playing field.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	15 Ms Helen Teasdale	Object	Having lived in the area all my life and seem to have spent a large number of years trying to raise money to improve the sports facilities in the town I feel that to lose a recreation ground for sake of building houses is a false economy. Surely with more people in the town the need will arise for more recreation facilities? The recreation ground is used almost daily by various different clubs and people. The junior cricket matches and weekly practice sessions are held here, as is the weekly junior football practice. There are numerous groups of people who regularly play football here, ranging from the school pupils through to the staff of the nearby hotels in the town.	The Authorities recognise the importance of retaining important community facilities. The proposed development of site NYMH3 will not proceed unless a replacement site in an appropriate location as been agreed with the owners.
Site NYMH3	21 Sport England	Comment	Note the site's identified constraint and agree with the identification that "Part of the site is currently utilised as an overflow sports field, an appropriate replacement for this provision will need to be secured prior to any planning permission being granted. Any proposal which results in the loss of a playing field will need to be referred to Sport England for their consideration".	Noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	27 Ms Christine Wright	Comment	I notice that Keepmoat are the agents for the site NYMH3 and I have heard two reports that their workers do not care about doing a good, careful job. Who will be checking their standard of work? Why can't the work be done by good local firms?	The building work of all development will be required to meet Building Regulation standards.
Site NYMH3	29 Ms Christine Wright	Object	This site has been mentioned for many years as a site for an extra care facility, but the entrance needs to be from Elmslac Road. The land has been left wide enough for this purpose, in between the two houses at the top, nos 28 and 30 and was never intended to be accessed from Ashwood Close. The people who live there bought their bungalows as it is a quiet residential close.	The developers have indicated that the access to the site will be via Ashwood Close. The Highways Authority have been consulted on this at an early stage and consider it acceptable.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	30 Duncombe Park Cricket Club	Object	<p>Duncombe Park Cricket Club is a long established sporting club that has been based in Helmsley since the beginning of the last century providing recreational activity to the community. Our membership numbers around 30 senior playing members, fielding 2 senior Saturday teams and 2 Evening League teams. Our junior section is thriving and we currently run 2 under 11, an Under 13 and Under 15 teams. Our junior section numbers around 50 players with parents being associated members. We also have a mini cricket section for ages 5 to 8/9 years of age. This provides a starting point for cricket in our area and we have up to 30 children in each weekly session during the summer school terms. The club also boasts somewhere in the region of 15 non playing patrons. We are therefore a sizable club in the context of the town. Part of the proposed development site NYMH3 has been used as a playing field by the clubs that operate from Baxtons Lane, as well as the wider community for at least 40 years. The clubs and wider community have had uninterrupted use of this playing field and without going into legal aspects in detail probably</p>	The Helmsley Plan requires that an alternative, appropriate site is identified to replace the lost playing fields.

have implied tenancy rights over this land. The playing field is in constant use during the summer with junior cricket training (Wednesdays) and matches (Fridays, Sundays and Mondays). It is a regular occurrence to see junior and senior cricket matches being played on adjacent pitches and some junior matches are also played on the senior pitch when junior training is ongoing. We would be unable to host fixtures as required by the cricket leagues if we lost the playing field in question. Duncombe Park Football Club also use this field for training purposes, so as to minimise the adverse impact of our main pitch outfield (in front of the pavilion) from its use as the main football pitch. We already struggle to gain the necessary improvement to the outfield required for senior cricket after the end of the football season, even with football training taking place on their 'second pitch'. Kirkbymoorside Juniors FC used the playing field for training last year and there are negotiations ongoing for more formalised use during the 2013/14 season for both training and matches. This benefits many local children

who live in Helmsley and the surrounds and play for Kirkbymoorside Juniors. Not having the use of a second playing field would also inhibit the formation of any future winter sports clubs (hockey, rugby etc).

Site NYMH3

42 Mrs V A Moorby

Object

The proposed scheme would drastically alter the character and amenity of the immediate quiet residential area, close to the extended Conservation Area and spoil an area of Natural Beauty on the edge of town.

The site has been assessed through the Site Selection Methodology and it is considered that the development will have limited impact on the wider character of the town as it is seen from wider views in the context of the built form.

Site NYMH3

16 B A and M I Laxton

Object

Following the recent meeting we found that many answers to our concerns were not forthcoming due to the plans not yet submitted. We find this absurd. How can a contractor submit a plan for development without outlining the contract itself re the position of the buildings, roads and drainage.

The Development Plan Process seeks to allocate appropriate sites for further development, which provides certainty to local people and developers of where growth will take place. However the details on proposals will be required as part of the planning application process.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	213 B A and M I Laxton	Object	We now come to the traffic situation it appears that again this cannot be confirmed until the plans are considered "what rubbish". One of the main factors is that Ashwood Close is a narrow road serving detached bungalows leading to a dead end at the field gate. At present the only traffic is private plus delivery vans. It is totally unsuitable for any heavy traffic and consists of asphalt over soil, no foundation.	As a result of the concerns raised in response to the consultation Officers have now met with representatives from the Highways Authority on site and they have no concerns about the use of the existing access for the proposed allocation of the site for the Extra Care Facility and residential properties.
Site NYMH3	182 Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes considers that the development of this site could have a potential adverse impact on the highway network during and after construction. Therefore, it is recommended that this site should contribute pro -rata to any improvements required at that junction. This needs to be specified within the Development Brief.	The requirements for infrastructure improvements are set out in the development briefs.
Site NYMH3	183 Barton Willmore obo Wharfedale Homes	Comment	The phasing of this site is expected between 2013 to 2018. Taking into account the current use of the site as a sports field and the potential access issues Wharfedale Homes consider that this is an unachievable timescale due to the current constraints.	Comment is noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	221	Duncombe Park Cricket Club	Object	<p>Lastly there are detailed plans to improve the overall facilities at Baxtons Lane and to encourage further uses of this facility for the community. Losing this second playing area will severely limit the uses of the site in the future. With nothing specifically tabled as a replacement for this amenity land , Duncombe Park Cricket Club strongly oppose any development of NYMH3.</p>	Noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	220	Duncombe Park Cricket Club	Comment	With the draft proposals to increase the population of Helmsley through further development, it is even more important to protect the amenities that we currently enjoy. If anything they need to be further improved. It is clear that a significant proportion of amenity monies available from these developments should be channelled into the Baxtons Lane site to improve our wider offering to the benefit of the community. We are not opposed to development of NYMH3 providing a suitable replacement site and the funds to bring it up to a required standard can be made available and if this alternative playing fields use can be assured in perpetuity. Any replacement site would need to be adjacent to existing land and directly accessible as we would not want to see junior sports players having to cross roads from the existing site to play.	The Publication version of the Plan sets out the necessary improvements to the existing sports facilities in the town. The NYMNPA are considering the adoption of a CIL charge, which will seek contributions from developers for funding to meet these requirements and 15% of this will automatically be passed onto Helmsley Town Council. If CIL is not adopted contributions will be sought from developers for this through S106.
Site NYMH3	219	Suncombe Park Cricket Club	Comment	The ability of Duncombe Park Cricket Club and Duncombe Park Football Club to develop additional junior teams or create additional senior sides would also be compromised.	The development of the site is subject to the provision of a replacement sports field in an appropriate location.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	218 Duncombe Park Cricket Club	Comment	The Baxtons Lane site also relies upon funding raised by the Bonfire Committee and the 10km Committees. Both of these bodies use the playing field, the Bonfire Committee use an area at the far side of the playing field for the actual bonfire and the 10km group use this land for junior races. These groups currently raise in excess of £5,000 per annum towards the cost of operations at the site and these funds are critical to solvency.	The development of this site is subject to the relocation of the existing sports field, these uses could therefore continue on the new field.
Site NYMH3	217 B A and M I Laxton	Comment	Finally we conclude that the development should be sited on the existing sports complex where this open site is serviced by Baxtons Lane and would not effect any properties. The sports complex would be rebuilt on Carlton Lane a very level site at the same time as the houses possible to the rear. The site roads would service the new properties and the sports complex and parking catered for at the same time of development. The contract for the houses should stipulate the building of the sports complex at the same time.	This has not been put forward by the developers of the site, however the scale of the extra care facility in this location is considered to have greater impact on the National Park's special qualities.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	216	B A and M I Laxton	Comment	As you are no doubt aware properties in Helmsley are at a premium and cost far more than surrounding areas. A local estate agents informs me that property in Helmsley with a very good view of the countryside is worth £50,000 to £100,000 in excess of similar properties. If plans and development of this site went ahead with Ashwood Close overlooking it and the traffic problems a considerable amount of value of these private properties would be lost. I take it that the owners would be compensated for the loss of value?	The loss in value to individual properties is not a material planning consideration. There is no provision in planning legislation for the payment of compensation to individual property owners for the loss in value resulting from development.
Site NYMH3	181	Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to the proposed residential yield stated within Policy. H1 and the Development Brief. 35 dwellings plus a 60 unit extra care home constitutes a particularly high density given the small site size and the existing low density levels within the town. The proposed yield would need to be reduced to be considered acceptable.	The high yield reflects the nature of the extra care facility, which essentially comprises a block of flats with communal areas.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	214 B A and M I Laxton	Object	When explaining this aspect we now turn to the entrance of the site. At present a 12 foot steel farm gate. This would have to be made considerably wider to take large vehicles etc. As private front gardens of the bungalows especially number 7 our own and number 6 opposite are the last properties before the gate where will the land come from to enable entrance widening - our front garden?	As a result of the concerns raised in response to the consultation Officers have now met with representatives from the Highways Authority on site and they have no concerns about the use of the existing access for the proposed allocation of the site for the Extra Care Facility and residential properties.

Site NYMH3	227 Mrs V A Moorby	Object	The siting of such a facility on the far edge of town would negate many of the intended benefits. Residents would find the shops and town centre too far to walk to. The community would be unlikely to be able to make use of any on site facilities, unless by car; thus generating additional traffic flow. A survey addressing this scenario would be beneficial.	This site is considered appropriate for an extra care facility as it located in close proximity to the existing community facilities and is the closest site to the town centre. Information on traffic impacts will be assessed at detailed application stage.
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Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	202	Peter Wragg	Object	Finally although it may not be relevant in planning laws, I think it would be a shame to lose this beautiful green space which is admired by all visitors to the playing fields and by the regular groups of walkers using the footpath between the playing field and the proposed development site. This area is part of what makes Helmsley so special; open spaces mixed in with existing housing and formal playing fields. Permitting further development of this sort would risk losing that unique mixture of modern with tradition which is so admired by both residents and visitors alike.	The Development Brief requires the provision of a footpath link to the community facilities and to the wider public right of way network.
Site NYMH3	212	B A and M I Laxton	Comment	Along with this are a considerable number of smaller dwellings. Where are all the properties to be sited?	The exact location of the properties will be considered at detailed planning application stage. The Helmsley Plan is considering the principle of allocation for this purpose only.
Site NYMH3	211	B A and M I Laxton	Object	The only items we were advised about was the care home on the above site and how good it would be for Helmsley etc not a word about the properties overlooking it. We now find that the main building on site will be 2.5 storeys high and the size of a large hotel. This would be completely unsuitable on the site in question.	The extra care facility is large in scale, however the restriction in height is considered appropriate as it will be seen in the context of the existing built form, much of which is two storeys in height.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	121 Mr Peter Holmes Johnson	Object	This proposal will completely destroy a beautiful area of Helmsley wrecking wonderful views of fields, woods and the moors as well as seriously damaging the environment for properties located in Ashwood Close, Feversham Road and Elmslac Road.	The sites which have been identified in the Helmsley Plan have been robustly assessed through the Site Selection Methodology and are considered to be acceptable in landscape terms.
Site NYMH3	210 Ms Helen Teasdale	Comment	Would it not be more sensible to build a care home on the site alongside the A170 where there is rumour of a new co-op store and also it would be on the bus route to take the pensioners into the market for any shopping they may require. This road would also be more accessible for staff and delivery of provisions.	This has not been put forward by the developers. However the scale and massing of the extra care facility will have much greater impact on the special qualities of the National Park if it were in this location. The proposed site is considered appropriate as it is adjacent to the existing community facilities.
Site NYMH3	209 Ms Helen Teasdale	Comment	My other concern is that we will need to be given an access road through to the rear of our properties.	There is no formal provision for access to the back gardens of these properties at present and therefore this will not be a requirement for the developers.
Site NYMH3	206 Ms Helen Teasdale	Object	I am also concerned where the road access would go to access the site and what the proposed increase in traffic movements will be and how this traffic and associated parking will effect the nearby primary school.	The Highways Authority have visited the site and have not raised any concerns about the impact of the proposed allocation on the existing road network.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	208 Ms Helen Teasdale	Object	My understanding from the consultation at the National Parks office that the plan for this area is a care home with 60 appartments. My concerns with this are as above regarding the increase in traffic and pedestrian movements but I am also concerned with light pollution and increase in the noise at all hours to accommodate the staff.	The issues of light pollution and noise will need to be addressed at the detailed planning application stage.
Site NYMH3	207 Ms Helen Teasdale	Object	There will also be a great increase in the use of the narrow footpath between the gardens and the cemetry and all the pedestrians heading for the town would automatically take the shortest route which is down Black Swan Lane which is a single width road, already often congested with delivery vehicles and doesn't lend itself to be widened to accommodate a footpath.	The development brief for the site requires the provision of a new footpath access to the community facilities.
Site NYMH3	215 B A and M I Laxton	Object	The site would have to have a considerable amount of parking space for each property and a large one for the care home to cater for visitors, service and staff vehicles. If not this would overflow into Ashwood Close causing severe problems and a disaster for the private road.	A traffic impact assessment will be required to support the development proposal and this will need to meet the car parking requirements set by North Yorkshire County Council Highways Authority.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	124 Mr Peter Holmes Johnson	Object	In any event, the care home proposed for this site is in the wrong place. It is "out of town". A care home must be "in town". The site is too far from a main road, bus route and shops. It was stated that people would walk to/from the care home. This is almost certainly incorrect as almost all visitors, staff and cares will arrive and leave by car.	There is no suitable location for this kind of facility within the existing built form of the town. The site is considered suitable for this purpose due to its relative proximity to the town and existing community facilities.
Site NYMH3	95 England and Lyle	Support	Our clients would fully support the allocation of Site NYMH3 - land North of Elmslac Road, Helmsley for residential development comprising a mix of approximately 35 dwellings and a 60 bed extra care facility. They also support the Plan's suggested timescale for the delivery of this development i.e. 2013-2018 and the inclusion of this site within the Town's new Development Boundary.	Support noted.
Site NYMH3	96 England and Lyle	Support	The draft plan explains clearly the reasoning behind the allocation of this site for this mix of development in terms of the overall housing requirement in Helmsley over the plan period, the specific justification for the extra care facility and the reason why Site NYMH3 has been identified as being the site best suited to accommodate these needs.	Support noted.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
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Site NYMH3	97	England and Lyle	Comment	Our clients site has an estimated capacity of 35 dwellings - although this may vary slightly subject to detailed design, layout and house types. It constitutes just 23% of the overall supply proposed in Helmsley and is of a scale that is proportionate to the size of the town. The site is suitable for a mix of dwellings. The exact mix to be provided on this site will be negotiated through the application for planning permission.	Noted.
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Site NYMH3	98	England and Lyle	Support	The SA of site NYMH3 that accompanies the Helmsley Plan assesses the performance of the site against a range of sustainability objectives. The site performs well on all counts and subject to the submission of further detailed evidence on Flood Risk, drainage, energy efficiency as part of a detailed planning application, the proposed use of this site for residential development dwellings etc can be categorised as being a highly sustainable development option in the context of Helmsley and the National Park.	Noted.
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Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	99 England and Lyle	Support	Our clients would support the site assessment and development principles outlined in the development brief.	Support noted.
Site NYMH3	114 Julie Cavanagh	Object	I am concerned that the design at present "is not Helmsley" as the building could have been plucked from any big city and plonked on the site.	Comment noted. The detailed design of the scheme will be considered at planning application stage, as the Helmsley Plan sets out the broad principles only.
Site NYMH3	115 Julie Cavanagh	Comment	Helmsley may be a growing town, but it is still a long way from a city centre or even large town and any new development should consider Helmsley's design and layout.	Noted. The nature of the extra care facility requires a different approach to the traditional layout of the town.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	116 Julie Cavanagh	Comment	<p>The site itself is to the rear of a mixture of existing development of both two storey and single storey dwellings. The land levels are somewhat higher than surrounding land and dwellings and as such I feel that the two and a half storey design proposed is far too large for the site. Further consideration and changes to the design should be given to include that development should be no higher than 2 storeys (ideally 1.5 storeys due to the land levels). I also feel that the U shaped building is very prison like and not similar to the majority of developments in Helmsley. There may be an economic consideration to be made in terms of cost of building, however the u shaped design could be better. I think three buildings with glazed links between would enhance the development. Elmslac Close is a good example of the U shaped development which is attractive in appearance mostly due to its scale. No dormer windows, there are presently no dormer windows to neighbouring properties. A variation to the roofline. To help conserve the perspective of distance and retain some view into the</p>	<p>The Helmsley Plan will set out a development brief for the site, however the details of the scheme will be considered at planning application stage. The limitation of the extra care facility to 2.5 storeys is considered to be in keeping with the 2 storey dwellings which are adjacent to the site. The very nature of an extra care facility is a large scale building and it would not be feasible to replicate this in the form of domestic dwellings which are single storey. The site has been chosen for the facility as it is considered to fit in with the existing built form.</p>

countryside beyond, the mid section should be lower than the side buildings. As the mid section building will be the most visible from Elmslac Road. There should also be variation to the roofline of the side buildings. Whilst I appreciate the plans at the consultation event were more "indicative" than actual, I would urge the developer to pay close attention to detail. On such a large building(s), the detail of the windows, doors, chimneys and porches etc will make a huge difference

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	117 Julie Cavanagh	Comment	<p>Appreciate some design suggestions may reduce the number of units, however 60 units of this type of accomodation does seem quite large considering Helmsley already has a mixture of units for the elderly/infirm/over 55s at Rye Court, Cannons Garth Mews, Castle Court, Elmslac Close and Elm Green. I know this new facility will enable people to remain in their homes until the end of their lives (if they so wish), however with no on site nursing facilities or accommodation I fail to see how this differs from other elderly accommodation in Helmsley for example Cannons Garth Mews.</p>	<p>The provision of the Extra Care Facility is supported by evidence of need collected on behalf of North Yorkshire County Council which requires 30 new facilities across North Yorkshire by 2020. Extra care provision is very sheltered housing or assisted living, which is not currently available in the town.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	1 Peter Wragg	Object	<p>The site is currently used by Duncombe Park Cricket Club as the main area for development of junior teams at the Club. The cricket club plays an important role in providing recreation for young people in Helmsley and surrounding villages. I am impressed by the accessibility to training and play that it offers young people in Helmsley. Youngsters can borrow kit to play matches, so they don't need to buy equipment to start playing cricket. The coaching and support is second to none and opens up real opportunities to youngsters in Helmsley. The proposed development area NYMH3 is particularly important because it allows these junior cricketers to continue when the main pitch is used by the senior teams for matches. It also allows juniors to play football when the main playing field is occupied by senior football teams. So it is more than just an 'overspill' it's an integral part of the club's planned continuation of play when multiple age groups are playing simultaneously.</p>	<p>The Authorities recognise the importance of retaining important community facilities. The proposed development of site NYMH3 will not proceed unless a replacement site in an appropriate location has been agreed with the owners.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	123 Mr Peter Holmes Johnson	Object	The proposal is for a 3 storey care home. The comment by the developers that it is only 2.5 storeys is misleading. As it is proposed to be built on an area that rises to the north of the town it will be highly visible and out of character with the neighbouring properties.	The extra care facility has been put forward on this site by the developers. However it is considered that this site will have limited impact on the setting and character of the National Park and it is located within close proximity to the existing community facilities.

Site NYMH3	228 Mrs V A Moorby	Comment	The extra care housing by the very nature of its title would require the support of extra carers. Again a survey should be undertaken to establish from where these additional carers will come. From personal experience over a number of years, I am aware that carers who live in Helmsley are few and far between. Any who can be found would therefore need to come by car, again adding to the traffic. The idea of enabling elderly people to remain in their homes is good but it is always only as good as the personal care available.	These issues will be considered at the detailed application stage. However the provision of affordable housing alongside the development of the extra care facility will provide opportunities for staff to access the housing stock.
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Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	125	Mr Peter Holmes Johnson	Object	The care home and houses will generate considerable traffic movement. It was stated that 50 car parking spaces at the Home would be provided. In addition, the other houses will all have car parking spaces and the residents may well have more than 2 or more cars. The care some will receive visitors, carers and service vehicles all of which generate an enormous amount of traffic, noise and pollution.	As a result of the concerns raised in response to the consultation Officers have now met with representatives from the Highways Authority on site and they have no concerns about the use of the existing access for the proposed allocation of the site for the Extra Care Facility and residential properties.

Site NYMH3	126	Mr Peter Holmes Johnson	Object	Ashwood Close is shown as the only access to this site. It will destroy this quiet residential close. The road will have to be widened resulting in compulsory purchase of land, which would, of course, be resisted strongly. Ashwood Close is likely to see more than 100 (minimum) traffic movements a day. At present there are probably only 15 per day. The proposal will turn Ashwood Close and also Feversham Road into very busy main road	As a result of the concerns raised in response to the consultation Officers have now met with representatives from the Highways Authority on site and they have no concerns about the use of the existing access for the proposed allocation of the site for the Extra Care Facility and residential properties.
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Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	233 Ms Christine Wright	Comment	The extra care facility intended is too high, what is 2.5 storeys? Surely the sensible thing would be to have it all on one level, much better for elderly care. I know from friends in Knaresborough that no one who finds it difficult to get around wants to be "stuck upstairs" (their words) at the end of corridors - they don't see anybody. Please consider having it all on one level with gardens to sit in.	The extra care facility will include lifts and will be designed specifically with those with care needs in mind and will include communal areas.
Site NYMH3	127 Mr Peter Holmes Johnson	Object	The value of properties in Ashwood Close will be reduced significantly. Almost all of the residents have bought their properties in recent years for their retirement. Their quality of life will be reduced by the noise, pollution and additional population in the area.	The issues of residential amenity will be considered in detail at planning application stage.
Site NYMH3	230 Ms Helen Teasdale	Comment	The view of the town for the large number of people who enter Helmsley via the footpath through Ashdale woods would be totally spoilt. Nowhere else available to the community offers this beautiful view of Helmsley and the surrounding areas. The playing fields offer this unique view because they are in a raised position surrounded by open fields.	The wider footpath route would not be impacted by the proposed development and therefore these views will still be available.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH3	131 Beth and Jonathan Davies	Object	<p>We did not object in principle to the development of the field beyond Elmslac as we assumed that this would be developed with bungalows to reflect the height and character of the adjacent housing. We did however comment that we would expect any proposed development to respect the lovely view up Elmslac towards the wooded hills which again creates a very special feeling of connectivity and is enjoyed by a wide range of local residents on a daily basis. We understand, however that the proposed location for the care facility will block this view as the ground rises from Elmslac into this site and the proposed height of the facility is 2.5 storeys. We strongly object to the NPA producing a document that states in a design brief that the height of new development should exceed that of surrounding development, especially when valued views of the National Park beyond will be destroyed. Who is leading the design brief; the Authority or the developer? Whilst we have not seen proposed plans for the care facility it sounds as if it will resemble a block of flats which is totally out of keeping with the</p>	<p>The design brief specifying a restriction in height to 2.5 storeys reflects the nature of Extra Care Facilities and is considered to be appropriate for the site, as it will be seen in the context of the existing built up area.</p>

character and density of local development. Surely a low level, low density development would be more appropriate.

Site NYMH3

132 Beth and Jonathan Davies

Comment

We are also quite shocked that the 60 units to be provided by the care facility will not be factored in the overall total of units that the NPA has committed itself to providing for Ryedale. If these were to be taken into consideration, as they should be, this would reduce pressure on both this and the other proposed sites in the National Park which would enable NYMH1 to be reduced in size and would enable a green corridor through NYMH3 to be secured which would protect the view of the hills.

The approach not to deduct the Extra Care provisions from the planned levels of housing provision which has been adopted in the Helmsley Plan complies with the overall approach of Ryedale District Council's Local Plan Strategy which has been found sound by an independent Planning Inspector.

Site NYMH3

122 Mr Peter Holmes Johnson

Object

The proposal to develop a care/sheltered home for 65 units and 30 houses is out of all proportion for Helmsley and the proposed site. The traffic flows generated by the development will be horrendous.

As a result of the concerns raised in response to the consultation Officers have now met with representatives from the Highways Authority on site and they have no concerns about the use of the existing access for the proposed allocation of the site for the Extra Care Facility and residential properties.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	10 Dr Paul Harris	Object	The proposal for a "convenience store" on site NYMH8 is unsuitable and undesirable. Out of town shopping is not required for Helmsley. Provision of a "convenience store" of 4000sqft (comprising grocery, greengrocery, hardware, butchery, newspapers) will have an adverse impact on existing town-centre retail outlets. We must not allow an out of town facility (with a car park) to filter trade and traffic away from the market place; a reduced number of people would then stop and shop in the town. Shops will then close (leading to more tea/coffee shops).	Noted. Any application for out of town retail use will be assessed against Policy H5 contained in the Helmsley Plan.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	12 Mrs Viola Stokes	Object	There is no mention of a convenience store on this site in the Helmsley Plan. The site is a ten minute walk from the town centre making the provision by Wharfedale Homes of a convenience store totally unnecessary , especially as the plan states "the design and layout should encourage people to walk or cycle". Wharfedale Homes also intend to build a service area for deliveries by heavy goods vehicles. This must surely be totally unacceptable in what will be a small residential area.	The Helmsley Plan is allocating sites for housing and employment land only. Any application for a retail use will be assessed against Policy H5.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	28 Ms Christine Wright	Object	<p>It is imperative that the Co-op stays in the Town Centre before any other supermarket takes over (there are rumours to this effect). Local people, many elderly, come to the centre for shopping, banking, post office, coffee etc and do it all in one visit and do not wish to walk further away for their shopping. The Co-op's reps said on Tuesday 9th July that the proposed new store would give them double their present space - well when Thomas' no longer require their half - here is their doubled space as previously - this would suit everyone. Helmsley people do not want edge of town supermarkets, this would be the beginning of the end. Look at other town centres - ruined by out of town shops. Can we not learn from their mistakes? There are several empty retail outlets already in the town. There is no need for the co-op to sell newspapers and magazines (there are two newsagents in the town, one of these only a few steps away) this would free up a good deal of shelf space for more choices of food. I wish to vote against this.</p>	<p>The Draft Plan contains a policy which seeks to ensure that new retail developments are located in the town centre. The sequential test will be applied to any proposal for retail development which seeks to ensure that town centre uses are accommodated within the town centre first and if no suitable sites are available then edge of centre first.</p>

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	31 W B Tait	Support	I support the development proposed at Linkfoot Lane, particularly a supermarket. Parking in Helmsley , particularly during the tourist season is very difficult. It will be handy and delivery lorries will find it easier. It is desirable but must be in keeping.	Noted.

Site NYMH8	229 Mrs V A Moorby	Comment	Many people will not follow up a visit to an out of town store with a further foray into the centre. This result has been and sadly still being seen throughout the country with devastating effect on the viability and vibrancy of the towns. So far Helmsley has avoided the fate of many other places. Hopefully the 'planners' will appreciate this and have the courage and imagination to reverse the trend and not follow it.	Noted.
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Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	203	Ms Jen Harris	Comment	Page 19 also states that there should be 'considerable demonstrable benefits to the local community of Helmsley'. This proposed retail outlet will benefit those who wish to drive there directly by-passing the Town Centre and all it has to offer. Walking from the centre will add approximately 10 minutes (both ways) to a shopping journey. The distance may well be too far for the elderly residents of Rye Court and Castle Court. Those living near to the new outlet may have less incentive to go to the Town Centre.	Comment noted. The proposal for a convenience store was being considered by an individual developer and was not being considered through the Helmsley Plan. Since the consultation an application has been received for this site without the convenience store element.
Site NYMH8	186	Barton Willmore obo Wharfedale Homes	Comment	It is important that the policies and Development Briefs within the Plan are linked to the overall vision.	Comment noted. The vision has been amended to include reference to the distinctive historic landscape setting of the town within the National Park.
Site NYMH8	128	Mr Peter Holmes Johnson	Object	The site is understood to have a new supermarket in the area that was shown on the original plan as a residential area only. Helmsley does not need an "out of town" store. What it requires is "in town" stores. The town is suffering already from shops closing down and the proposed supermarket will accelerate this trend. The new store will not bring people into Helmsley for shopping.	The purpose of the Helmsley Plan is to allocate sites for housing and employment land. Any proposal for a retail will be assessed against policy H5.

Site NYMH8

55 Helmsley Town Council

Comment

The draft plan makes no mention of a retail facility on this site, but the developer has already proposed one and secured the Co-op as tenant. This controversial proposals cuts across the Plan process and is strongly opposed by traders in the town centre. If the plan allocates a site for housing, surely it should not be allowed immediately to mutate into a mixed development site?

The Helmsley Plan will allocate sites for new housing and employment land only. Policy H5 will be used to assess any proposals for retail development.

Site NYMH8

184 Barton Willmore obo
Wharfedale Homes

Support

Wharfedale Homes control this site and very much welcomes its proposed allocation for housing within Plan. Our Client agrees that the site has no significant constraints which would preclude its development.

Support noted.

Site NYMH8

50 Stan Houston

Comment

Road access (from and onto Linkfoot Lane) is also a concern regarding this site. Would the existing bus stops have to be moved? Would this be safe or sensible? Additional traffic from a residential development at this site must be manageable, that from a supermarket would not.

The existing bus stops would have to be moved to a safer location to facilitate the use of Linkfoot Lane as an access. The Highways Authority have been consulted on this issue and have not raised any concerns.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	187	Barton Willmore obo Wharfedale Homes	Comment	Wharfedale Homes considers that the site has the potential to accommodate a convenience store as a secondary use on the site. This should be reflected within the Plan.	The purpose of the plan is to allocate housing and employment land not retail. Any proposals for retail use will be assessed against policy H5 of the Helmsley Plan.
Site NYMH8	188	Barton Willmore obo Wharfedale Homes	Object	Similarly to Site NYMH1, Wharfedale Homes objects to the Plan seeking to control the housing mix without justification for both affordable and market housing. The Brief needs to clearly identify the local demand for these types of properties or remove the requirement.	Noted further information on the justification for the housing mix is set out on page 17 of the Publication version of the Plan.
Site NYMH8	189	Barton Willmore obo Wharfedale Homes	Object	Our client considers that there is no justification for a phasing approach as discussed within paragraph 3.3 and 5.11 of these representations. The inclusion of timescales for development within the Development Brief should be deleted.	The approach to phasing has been clarified through the text on page 16 of the Publication version of the Plan.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	45 Mrs V A Moorby	Object	The original development was for a housing development only, for which the above comments are applicable. However as a supermarket has now been added further comment is necessary. Out of town or edge of town retail developments always have a detrimental effect on the high street. This has been proven time and time again and Helmsley would be no exception. One of the assets of Helmsley for both residents and visitors alike is that there is still - at present - a good mix of shops in and around the market place - each one has a beneficial knock on effect on others. If one of the main food and household suppliers is removed to a more distant site, this will have immediate repercussions on other businesses.	The Helmsley Plan is only seeking to allocate sites for housing and employment use. Any proposal for a convenience store will need to be considered against the criteria set out in Policy H5.
Site NYMH8	36 Mr and Mrs R and D Sunderland	Comment	As we are adjacent to this development we would wish that our privacy is maintained through appropriate positioning of windows and the construction of a permanent border in keeping with Helmsley.	The impact on residential amenity will be considered when determining the detailed design of the scheme.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	33	Mr and Mrs R and D Sunderland	Comment	There is a footpath and access to farmers field to the north of our property and we are concerned that the proposed access from the new development could result in unauthorised parking on aforementioned footpath. Therefore we would like a means of preventing this happening but allowing access for farmer.	These issues will need to be dealt with during the discussions on the detailed design of the scheme.
Site NYMH8	185	Barton Willmore obo Wharfedale Homes	Comment	Our Client is confident that they are able to deliver residential development on this site. However, in discussions with NYMNPA Wharfedale Homes have received supportive comments for a retail unit on the site in addition to the proposed dwellings. There is no retail allocation within the Plan and this site offers one of only a few opportunities for a potential convenience store development. The key focus for the Plan is to build a strong and competitive economy.	Any proposal for retail on this site will need to be addressed through Policy H5.
Site NYMH8	34	Mr and Mrs R and D Sunderland	Comment	This is a prominent access onto east Helmsley and is part of the National Park. We would therefore expect that any development would be in keeping with Helmsley and the National Park.	An additional policy H9 'Design' has been added to the Publication version of the Plan, which refers to the need to maintain the local distinctiveness of the built environment and the landscape of the National Park.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	190	Barton Willmore obo Wharfedale Homes	Object	Wharfedale Homes objects to the inclusion of developer contributions for waste recycling vehicles and broadband. This is a separate matter for CIL; however, we would like to confirm from the outset that our Client is not in support of this.	Objection noted. This will need to be addressed through the examination of CIL.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	205 Dr Paul Harris	Object	<p>Helmsley Parish Plan refers to NYM1 to NYM7 this is the first occurrence of NYMH8 which does not appear on the Helmsley Plan. I recognise that housing is inevitable but the proposed "convenience store" of Wharfedale Homes was a revelation, even to the Town Council - some of whom apparently knew just one day before the Town Council presentation to others it was news. How have co-op staff become aware of this for several weeks. It appears that Wharfedale Homes been working behind the scenes with them? According to their website "Wharfedale Homes...specialise in developing design-led, high quality homes for purchasers seeking a blend of individuality and craftsmanship supported by dedicated customer service. We create unique developments which are carefully designed to blend sympathetically into their local environment and contribute positively to the local area - they have no experience outside of their housing remit.</p>	NYMH8 is part of the site, which was originally submitted as part of a larger proposal for site NYMH1.

Part of Document	ID	Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	204	Dr Paul Harris	Comemnt	<p>The reason that Helmsley is such a successful, vibrant town is that it has adequate parking and a range of quality shops - all within walking range; do not spoil this by reducing footfall. It is not true that people will walk from the Market Place to NYMH8. I have encountered Market Place visitors who have asked me if there is a pharmacy and have said "I won't bother" on being told it's on Carlton Lane. What about market day visitors? They will be less-well provided for (there will only be one "central" supermarket) and may go elsewhere. Allowing an out of town store is setting a precedent and is the thin end of the wedge; irrespective of what Wharfedale Homes may say, this would be a precursor to further retail on NYMH1 on A170 boundary.</p>	Comment noted.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Site NYMH8	40 R A and L E Ashbridge	Comment	There is a field access track running past the side of our bungalow, of which there is an access on to the land (Site NYMH8). Currently there is a footpath along this track, although there is a proposal to upgrade this to a bridleway. We would ask that the access onto site NYMH8 be closed off to avoid the possible disruption of the track being used frequently by people and vehicles to the housing. A suggestion would be (to stop people taking vehicles down the track) to put in foldable bollards to gates at the Carlton Road end giving a key to the farmer for his access to his fields.	Noted. This will need to be addressed through the detailed design of the scheme.
Pages 174, 183, EMP1	225 W B Tait	Comment	The footpath (public) on left of culvert (Spital Beck) needs upgrading to a bridleway and the footbridge enlarging to take horses. Therefore horse riders can use this to access the 2 old railway lines. It would give access to fish farm bridge at Rye House. Therefore a new horse bridge and upgrading the whole route to Sawmill Lane to a bridleway is essential. It would mean horse riders not having to use the Harome Road which is much safer.	This is outside the scope of the Helmsley Plan.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Sites 174, 183, EMP1	222 W B Tait	Comment	Use of stone rather than brick - if brick is to be used it should be old brick.	Noted.
Sites 174, 183, EMP1	223 W B Tait	Object	I see no need for industrial development as the present is more than adequate. If industrial development is agreed then there should be a new access road built or Sawmill Lane extended.	The requirement for additional employment land is supported by the Ryedale Employment Land Review. The use of Sawmill Lane is not considered appropriate to access new employment land as it not possible to raise it to adoptable standard and therefore Riccal Drive will be used as access to the preferred employment areas.
Sites 174, 183, EMP1	239 Stone and Bean Associates obo Thomas the Baker	Comment	Due to the fall of the land toward the river mains sewerage must need some consideration for all of these sites.	Yorkshire Water have not identified the requirements for any new infrastructure, however this will need to be considered further at full planning application stage.
Sites 174, 183, EMP1	32 W B Tait	Comment	I would like to see a reduction in the number of homes built - too many.	The level of housing contained in the Helmsley Plan is supported by a range of evidence, which has been endorsed by the Inspector who has recently found the Ryedale Local Plan Strategy to be sound. The housing provision figure has already been established through the Ryedale Local Plan Strategy and the Helmsley Plan will stipulate where this level of development will take place.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Sites 174, 183, EMP1	224 W B Tait	Comment	Increased traffic on Riccal Drive - as children play near the road, cross etc traffic calming would be needed as well as a 20 mph speed limit.	Noted. The Highways Authority will advise on any requirements on traffic calming at detailed planning application stage.
Sites EMP1 and EMP	39 Stone & Bean Associates obo Thomas the Baker	Comment	Links should be provided from Station Road through to the new areas proposed for employment development in order to accommodate the future expansion of Thomas the Bakers and ensure it remains in Helmsley.	The provision of links to the existing business on Sawmill Lane/Station Road will be considered in the detailed design of the site.
Sites EMP1 and EMP	235 Stone and Bean Associates obo Thomas the Baker	Support	The increase of employment land is welcomed. However unless the existing employment land is linked to the new allocation sites they will become isolated sites.	Noted. The LPA will work with the developers to address the issue of access links with the existing employment uses.
SuDS	200 Environment Agency	Comment	We believe the flood benefits of the SuDS are not clearly highlighted in all the development briefs and would suggest the following wording to the sentence; 'Where feasible, developers should consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.	The development briefs have been amended to reflect this proposed wording.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Unallocated Site NY	139 Barton Willmore obo Wharfedale Homes	Object	<p>Larger area of Site NYMH1 - Wharfedale Homes also control the site directly to the north of the allocated area of NYMH1. This site has not been considered appropriate for allocation. Our Client accepts that the site may comprise former medieval strip patterns however; as a reason for not allocating the site, it lacks weight and justification in planning policy terms. The site is not designated as an area of high landscape value or as a specially protected area of interest on any of the proposals maps for North York Moors Core Strategy, Ryedale Local Plan 2002 and the Helmsley Plan. As such there is no substantiated policy or statutory weighting that protects this site from any future development. As an evidence base Wharfedale Homes commissioned CGMS Consulting to undertake a Heritage Appraisal of the site. The report reviews available historic landscape character information and historic ordnance survey mapping to provide baseline information and a preliminary appraisal of the heritage sensitivity of the site. The findings of the Heritage Appraisal confirms that the site</p>	<p>The Site Selection Methodology Assessment table shows the outcome of the site assessment process and this reduced area is considered an appropriate balance between meeting housing requirements and the impact on the designated landscape. The SSM assessment and the independent landscape assessment of this part of the proposed allocation is considered to have greater impact on the landscape of the National Park and has therefore not been taken forward as a preferred allocation. Further details have been added to the Publication version of the Plan. Additional land is not required on this site as the levels of housing set out in the proposed allocations already meets housing requirements for Helmsley.</p>

forms part of a 25.39ha block of enclosed land lying east of Carlton Road which is characterised by Medieval Strip Patterns. The site occupies part of two fields within this block and represents 8% of the identified area of enclosed Strip Fields. A review of the historic landscape character data for this area has established that this block is not especially well preserved in a county context and is not the only area of such survival in North Yorkshire, or even in a 5km radius of Helmsley. However, it does concede that it is the only surviving evidence within Helmsley itself. Accordingly, there is a perfectly good, visible and understandable area of Strip Fields surviving to the east of the Spittle Brook and to the north of the nonallocated site. These areas will retain the historic interest and local landscape character. It is concluded that the allocation of the site and its future residential development will not have an unacceptable adverse heritage impact as the appraisal has not identified any heritage issues or site sensitivity. Further details regarding these findings can be found within the attached

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
			Heritage Appraisal.	
Unallocated Site NY	140 Barton Willmore obo Wharfedale Homes		Wharfedale Homes also objects to the contention that this site will have a negative impact on the long distance views of the town. There is no justified visual impact assessment to support this claim and there is no evidence the site does not encroach further north than the existing settlement pattern. Wharfedale Homes recommends that the allocation of this larger area of the site is reconsidered and the allocation of Site NYMH1 within Policy H1 reflects this to also include this larger area.	The Site Selection Methodology Assessment table shows the outcome of the site assessment process which raises concern about the impact of development of this part of the site on the landscape of the National Park as it rises northwards and on the existing medieval field patterns. The reduced area put forward for allocation by the LPAs is considered an appropriate balance between meeting the housing requirements of Helmsley and the impact on the designated landscape. It should also be noted that this area is not required to meet the housing provision figure.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Unallocated Site NY	141 Barton Willmore obo Wharfedale Homes	Object	Site NYMH2 – Land North of Beckdale Road Wharfedale Homes control this site and objects to its exclusion from allocation for housing within the Plan. It is agreed that there are no pronounced landforms, trees or landscape features within the site. However, this should be regarded as a reason why the site is developable, not undevelopable, as it is free from physical constraints. It is considered that there is a lack of evidence to justify how the development of the site would completely change the existing open landscape character of this part of the town when no visual impact assessment has been carried out by the Local Authorities.	A landscape assessment of this site has been carried out, which raises concern about the impact of development of this site on views into the historic core of Helmsley and from the town into the National Park landscape. This site is located within the National Park and assessment must be made in terms of harm to the designated area and the need for housing.
Vision	64 English Heritage	Comment	Whilst we broadly support the general thrust of the Vision, it does not adequately reflect the third and fourth bullet points of the main objectives insofar as they relate to the historic character of the town itself (as opposed to its landscape setting).	Noted. The Publication version has been amended accordingly.

Part of Document	ID Respondent	Support/Object/Comment	Comment	Authorities Response
Vision and Objective	93 England and Lyle	Support	<p>Our clients would fully support the vision and objectives for Helmsley as expressed in the Helmsley Plan. It is essential that the National Park and Ryedale Council work together to ensure that there is adequate provision in the town to meet future housing and employment requirements if the vitality and viability of the town is to be maintained and enhanced. Helmsley plays a critical role in the settlement hierarchy of the Park and Ryedale District and supports a variety of high order shops, services and community facilities on which a large number of lower order settlements rely. It is also a significant tourist and leisure destination. Clearly any development required to meet the vision and objectives will need to take account of the town's special landscape setting on the edge of the National Park and the particular environmental and historic qualities of the Town.</p>	Support is welcomed.

HELMSLEY PLAN



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1. Introduction

1.1 The Helmsley Plan is a planning document for the town of Helmsley as shown on the Policies Map. It sets out what development will go where and by when over the course of the plan period. The Helmsley Plan will comprise part of the statutory planning decision framework of both Ryedale District Council and the North York Moors National Park Authority. As a Local Plan it will be used as the basis for decisions on planning matters which take place in Helmsley. It has been jointly produced as the boundary of the North York Moors National Park runs through the middle of the town. Approximately half of the town lies within the National Park which means it has the highest status of protection in relation to landscape and scenic beauty with statutory purposes to conserve and enhance the natural beauty and promote understanding and enjoyment of the North York Moors. The two authorities recognise that as an important local service centre for the wider rural hinterland, it is important that development in Helmsley is carefully, proactively and jointly planned.

1.2 The plan includes:-

- A Vision for Helmsley
- An overview of how the Helmsley Plan fits in with National Planning Policy including National Park designation
- Where future development will take place and what this should look like

1.3 The allocation of sites in the Helmsley Plan provides certainty to developers, local people and infrastructure providers as to what development is likely to happen in the town. It will also ensure that the town has sufficient housing and employment land to meet its economic growth and increased population.

1.4 Decisions on other elements of planning such as residential extensions will continue to be considered against the policies contained in the relevant development plan for Ryedale District Council or the National Park Authority depending on the location of the property.

1.5 How the Plan Has Developed

1.6 Work on the Helmsley Plan began in January 2012 when a discussion paper titled 'The Helmsley Plan – We Need Your Views' seeking comments on what the plan should contain was sent to all residents and businesses in the town. This initial consultation resulted in a total of 72 responses. During the summer of 2013 consultation took place on a Draft Version of the Plan with 40 responses received raising some 241 individual comments. These comments have been considered and addressed in this Publication version of the Plan.

1.7 How does it fit with other plans?

1.8 Once adopted, the Helmsley Plan will be part of the Development Plan relating to Helmsley. The North York Moors Core Strategy and Development Policies Document forms the strategic part of the development plan falling within the National Park. The Ryedale Local Plan Strategy forms the strategic development plan for the area of the town falling outside the National Park. The Helmsley Plan will form part of the allocations document for Ryedale District, together with the Local Plan Sites Document, which covers the areas outside of Helmsley in Ryedale District.

1.9 A Description Of Helmsley

- 1.10 Helmsley is a small market town situated on the southern boundary of the North York Moors National Park nestling in a hollow 24 miles away from York and 32 miles from Scarborough. The town sits at the junction of the A170, which runs from Pickering to Thirsk, and the B1257 road, which runs south over the moors from Stokesley. The area to the north of the A170 and west of the Market Place are located within the North York Moors National Park. Entry into the town from the south is over the late 18th century Scheduled bridge which crosses the river Rye forming a natural barrier to the south



of the town. The town is flanked by heather moor to the north, rising wooded land to the west and rolling farmland to the South.

- 1.11 Helmsley lies within the North York Moors and Cleveland Hills National Character Area but is bounded to the south by the Vale of Pickering National Character Area and therefore is probably transitional between the two. In the North Yorkshire Landscape Character Assessment the site falls within the classification of Limestone Foothills and Valleys. Within this assessment the landscape is noted as being of high visual sensitivity as a result of its panoramic views across the Vale of Pickering and strong intervisibility with adjacent landscapes
- 1.12 The town was first settled in around 3000 BC and by the time it was mentioned in the Domesday Book had become a modest village with the distinctive features which make up today's street plan. Helmsley Castle was constructed around the 12th Century in order to control the river crossing. The town thrived with the founding of nearby Rievaulx Abbey and in 1191 the Lord of the Manor, Robert de Ros granted Helmsley the borough charter, which resulted in the burgage plots which remain visible around Market Street and Bridge Street.

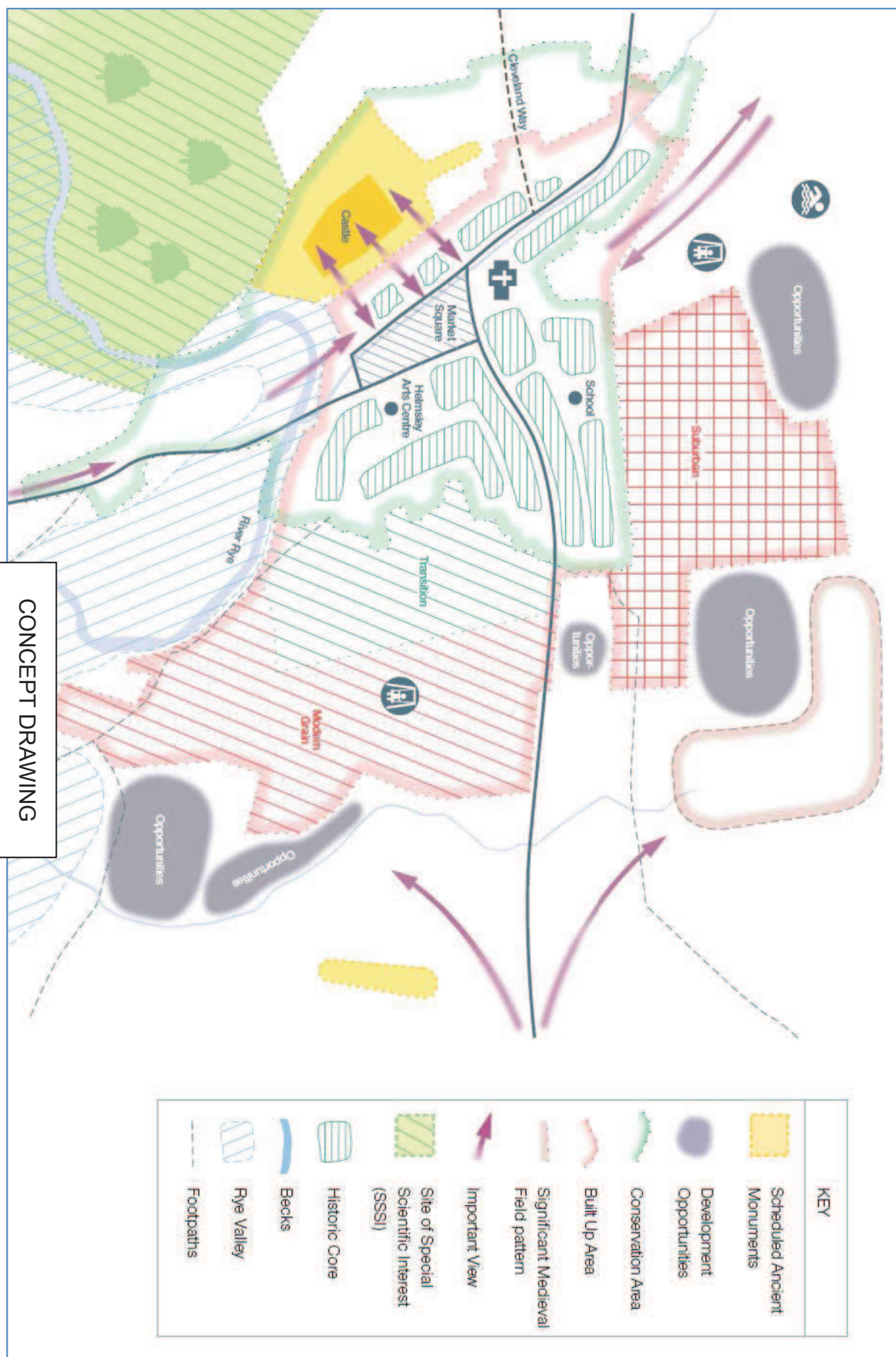


- 1.13 By the beginning of the 17th century the overall form of the town was largely complete and many of the existing buildings date from this period. In 1871 the Pilmoor branch railway was extended to Helmsley and resulted in the development of Station Road, (the station was later closed in 1953). Before the war, the area between Bondgate and Station Road was developed, which was followed after the war by the construction of the award winning Elmslac Estate. In the 1970's and 1980's further

modern housing developments took place to the east of the town in the form of Swanland Road/Ryedale Close and The Limes.

- 1.14 The Town has a wealth of historic assets including the stately home and historic parkland of Duncombe Park, Helmsley Castle and the Grade II* listed Canons Garth, which is one of the oldest surviving buildings having been originally constructed in the 12th century. Part of the town is designated as a Conservation Area, which includes 433 buildings, of which 51 are listed. Land to the south east of the town includes three prehistoric burial mounds or 'round barrows' which are visible as green mounds within otherwise arable fields and are Scheduled Ancient Monuments.
- 1.15 Helmsley has two Sites of Importance for Nature Conservation (SINCs); these are East Plock Woods, to the south of the town, and the River Rye, running from Helmsley Bridge to West Ness. The majority of Duncombe Park is also designated a National Nature Reserve and Site of Special Scientific Interest (SSSI).
- 1.16 Helmsley plays an important role as a service centre for the wider rural area and is home to around 3029¹ people. According to the 2011 Census there were 1,663 households in the larger Helmsley ward, with around 1,000 of these located in the town itself. However around 14% of these properties have no usual resident (includes holiday cottages, second homes and empty properties), which is above the average figure of 9% across Ryedale as a whole. The town continues to be a thriving market town, hosting a popular weekly market and it has range of shops and community facilities including the primary school and health centre. The town has reasonable public transport links to the larger Market Towns of Thirsk and Pickering. The town's main employment is focussed on the industrial estate known as Sawmill Lane located to the south east of the town.
- 1.17 The Concept drawing on the following page illustrates these features of Helmsley, in particular how they constrain the growth of the town. The drawing highlights the landscape setting of the town and shows where there are opportunities for growth.

¹ 2011 Census data on Helmsley Ward



2. Policy Context

2.1 The Helmsley Plan has not been prepared in isolation and has been informed and influenced by a number of key documents as set out below.

2.2 National Park Designation

2.3 The 1995 Environment Act sets out two purposes for National park Authorities, as follows:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and
- To promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public.

2.4 The Act goes on to place a duty on National Park Authorities in pursuing the two purposes 'to seek to foster the economic and social well being of local communities'.

2.5 National Planning Policy Framework

2.6 The National Planning Policy Framework was published by the Government on 27 March 2012. The National Planning Policy Framework (NPPF) must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. Whilst the NPPF should be read as whole, some key elements are set out below.

2.7 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. Paragraph 14 goes on to say that Local Plans should meet objectively assessed needs unless specific policies in this Framework indicate development should be restricted and a footnote refers to examples where policies relate to land within a National Park.

2.8 National Park Designation

2.9 The NPPF says that great weight should be given to conserving the landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

2.10 Delivering a wide choice of high quality homes

2.11 The NPPF says that 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. Local Plans should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and where they have identified that affordable housing is needed, set policies for meeting this need.

2.12 Local Plans need to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional

buffer of 5%. A further supply of specific developable sites or broad locations for years 6-10 should be identified and where possible for years 11-15.

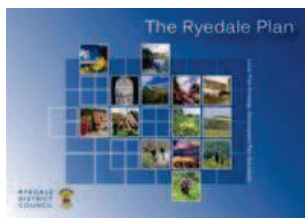
- 2.13 It should be noted that paragraph 14 of the NPPF says that Local Plans should meet objectively assessed needs unless specific policies in the Framework indicate development should be restricted. The footnote to this paragraph refers to policies relating to sites located within National Parks.

2.14 **Building a strong, competitive economy**

- 2.15 In drawing up Local Plans, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. They should do this by setting out a clear economic vision and strategy for the area and identify sites to meet anticipated business needs over the plan period.

2.16 **The Ryedale Local Plan Strategy**

- 2.17 The Ryedale Local Plan Strategy was formally adopted by the Authority in September 2013. The aspiration of the strategy contained in the Ryedale Plan is to focus growth primarily in the Principal Towns of Malton and Norton and with the Secondary focus for growth being the Market Towns of Pickering, Kirkbymoorside and Helmsley.



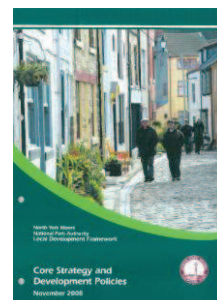
- 2.18 In terms of Helmsley the ambitions of the Ryedale Local Plan Strategy are to:

- Support the Town's Local Service Centre role, protecting and providing facilities that contribute to this role.
- Provision of some housing and employment growth to address the requirements of the local community
- Retention of major employers and existing employment space
- Support the Town's regional tourist role by supporting existing attractions such as Duncombe Park, The Walled Garden and Helmsley Castle and by fostering the role of the town as a niche location for shopping, food and hospitality
- Support Helmsley's role as a gateway to tourist attractions and recreational activity in the North York Moors National Park.

2.19 **North York Moors Core Strategy and Development Policies Document 2008**

- 2.20 The North York Moors National Park Authority Core Strategy and Development Policies Document was adopted in November 2008 and identifies Helmsley as the Local Service Centre. The overarching strategy of the plan is to improve the sustainability of local communities by supporting, improving and consolidating existing services and facilities. As the Local Service Centre the following development will be supported in Helmsley;

- Housing including open market and affordable housing
- Employment development to support existing or provide new employment opportunities in the town and support and diversify the rural economy



- Improve existing facilities and provide new facilities to serve local residents, strengthen its role as a Local Service Centre and support its role as a visitor destination.

2.21 The North York Moors National Park Authority's Core Strategy and Development Policies Document requires that all new housing is to meet local needs only and therefore has no target figure. Although a figure of 26 units is anticipated each year this is through windfalls rather than a programmed supply and will be in addition to the levels allocated through this plan. In order to plan properly for Helmsley both Local Planning Authorities are committed to selecting the most appropriate sites for new development for the town in its entirety at a level which is appropriate to the location of the town partly within the National Park.

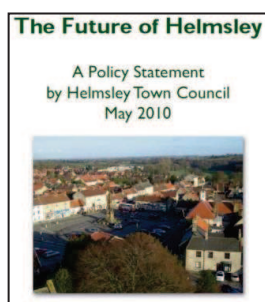
2.22 National Park Management Plan

2.23 The National Park Management Plan sets out the vision, strategic policies and outcomes for the National Park over the long term. It is a Plan for the National Park, its communities, businesses, visitors and organisations and will require all who have an interest in the National Park to work together to achieve its aspirations. It will ensure that National Park purposes are being delivered whilst contributing to the aims and objectives of other strategies for the area. Aims include providing more affordable homes to meet local needs and providing a range of business and employment opportunities which benefit local people.



2.24 A Policy Statement for Helmsley

2.25 In May 2010 Helmsley Town Council published a policy statement for the town called 'The Future of Helmsley'. The document brought together the conclusions of the Helmsley Design Statement Working Group and the views of the Town Council on how the town should be developed in the future. Many of the guidelines set out in the policy statement have been used as the basis for the development of the policies contained in this document.



2.26 Helmsley Conservation Area Appraisal

2.27 The Helmsley Conservation Area Appraisal was adopted by both Ryedale District Council and the North York Moors National Park Authority in 2005. The aim of the appraisal is to help inform decisions made by the Local Planning Authorities, the Highways Authorities, the Town Council and local residents. The Appraisal includes a detailed assessment of the architectural and historic character of the Town and makes reference to important characteristics and areas of open space that should be retained, which have been considered during the assessment of the sites.

2.28 As part of the Helmsley Plan process anomalies with the existing Conservation Area boundary were considered and a further appraisal carried out. As a result the area of Elmslac Road and the area adjacent to the Feversham Arms hotel have been added to the Conservation Area.

2.39 The Relationship between Plans

- 2.30 The Helmsley Plan will comprise part of the statutory planning decision framework of both Ryedale District Council and the North York Moors National Park Authority. It will provide the spatial context of the Ryedale Local Plan Strategy and the North York Moors National Park Authority Core Strategy and Development Policies Document. As part of the development plan it will be used as the basis for decisions on planning matters which take place in Helmsley. The allocation of sites for new housing and employment land in the rest of Ryedale will be established through a separate site allocations document produced by Ryedale District Council.

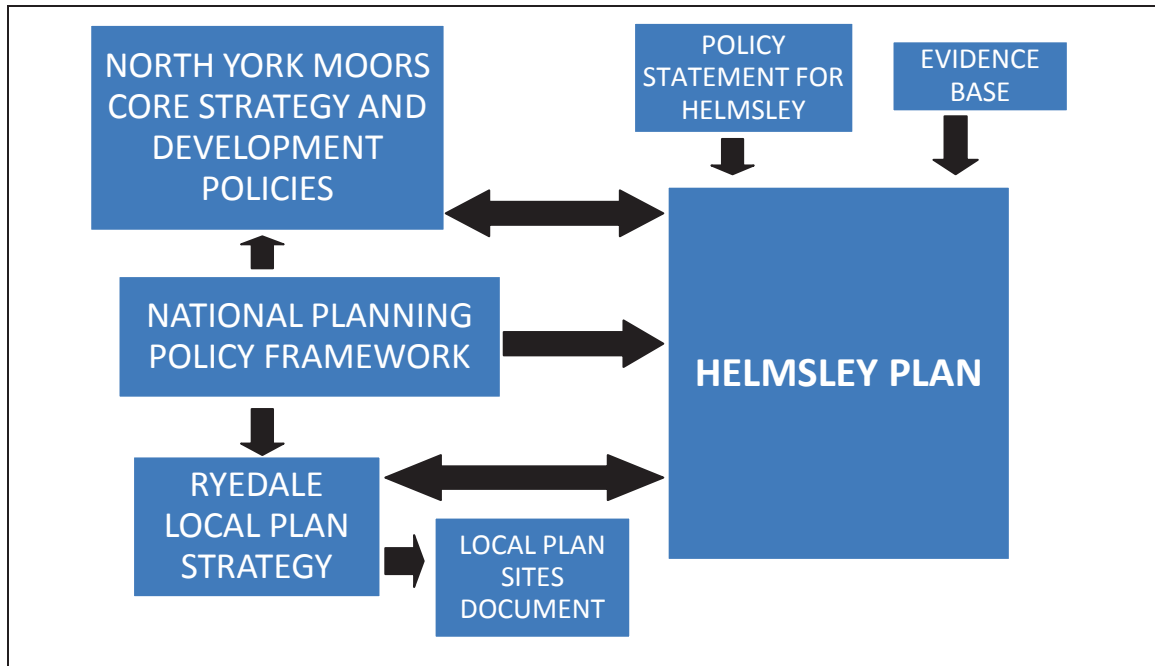


Figure1. Relationship with other plans

3. Vision for Helmsley And Objectives

- 3.1 The Helmsley Plan aims to maintain the town's role as a thriving market town which continues to provide a range of facilities and housing provision for local residents and continues to meet the expectations of visitors.
- 3.2 The main objectives of the plan are:
- To provide sufficient land to provide a mix of housing which meets the future needs of the existing population, providing opportunities for managed growth of the town over the plan period, whilst safeguarding and enhancing the landscape of the National Park.
 - To support the existing economy by ensuring there is further land available for the expansion of local businesses and to provide a range of employment opportunities for local people.
 - To conserve and enhance the special qualities of the town so that it remains a popular destination for visitors and maintains the role of Helmsley as a market

town serving a wide hinterland of rural communities including those within the National Park.

- Retain the historic character of the town including the setting of the Duncombe Park Estate, Helmsley Castle and the North York Moors National Park.

A Vision for Helmsley

In 2027 Helmsley will continue to provide essential services and facilities for its local community which will be successfully balanced with its role as a regionally important visitor destination. The distinctive historic landscape setting of the town within the National Park will have been safeguarded and enhanced. Its role and reputation as a niche location for high quality shopping, hospitality and food based activity will be firmly established.

- 3.3 The Helmsley Plan will set the spatial approach for development in the town up to 2027 to meet this vision.
- 3.4 The policies set out in this document will apply to proposals for new development in and around the town.

POLICIES

4. Presumption in Favour of Sustainable Development

Policy SD1 Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authorities 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 the Helmsley Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application in either the Helmsley Plan or Local Plans of the North York Moors National Park or Ryedale District Council, or relevant policies are out of date at the time of making the decision then the Local Planning Authorities will grant permission unless material considerations indicate otherwise – taking into account whether:

- a) 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
- b) Specific policies in that Framework indicate that development should be restricted such as where they are located in a National Park.

- 4.1 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. This policy sets out how the presumption in favour of sustainable development will be applied in relation to Helmsley.
- 4.2 The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

5. Housing Provision

- 5.1 The National Planning Policy Framework requires that Local Planning Authorities use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in their area. Local Planning Authorities are also required to identify broad locations to meet housing needs in 6-10 years from the start of the planning period and also where possible for years 11-15. In other words Local Plans need to identify sites where new housing can come forward over the plan period to meet future housing requirements.

Policy H1 – New Residential Development

The delivery of at least 150 new hew homes will be managed over the period 2014 to 2027. This will be achieved as follows:

Site Reference	Location	Number of Units	Timescale
Current commitments			
	Land to the Rear of Black Swan	14 units residential units	2014 to 2022
Proposed Allocations			
Site NYMH1	Land to the North of Swanland Road and East of Carlton Road	60	2014 to 2022
Site NYMH3	Land to the North of Elmslac Road	35 residential units 60 unit extra care facility	2014 to 2022
Site NYMH8	Land to the South of Swanland Road	20 residential units	2014 to 2022
Site 183	Land to the South of Riccal Drive	50 residential units	2014 to 2027
Site 174	Land to the East of Riccal Drive	45 residential units	2014 to 2027

At least 5% of all new dwellings on developments of more than 50 units must be bungalows. Detailed planning permission will be supported where proposals fulfil the principles set out in the development briefs contained within this plan.

Extra care accommodation provided specifically to address the requirements of North Yorkshire County Council will not be deducted from the overall provision figure.

- 5.2 The housing requirement for the Helmsley Plan is derived from the Ryedale Plan: Local Plan Strategy which was adopted in September 2013. This sets a District wide housing target of a minimum 200 net additional dwellings per annum to meet the objectively assessed housing requirements across the District. This level also includes meeting some of the needs of the National Park within Ryedale District. This level of provision figure is based on a range of statistical evidence including population projections, economic forecasts and historical completion levels but also took into consideration environmental factors, accessibility and the rural character of the area.

- 5.3 The majority of the new housing development will be located in the Principal Towns of Malton and Norton, and below that the local service centres of Pickering, Kirkbymoorside and Helmsley. For Helmsley there is a requirement to plan for the development of approximately 150 dwellings over the plan period in, or approximately 5% of the District wide requirement. This is a figure, which the Inspector has found sound and which both the Local Planning Authorities feel is appropriate in order to balance the need to deliver new homes to meet changes in the population while retaining the character of the town and the fact that half of the town is in the National Park. The provision figure also takes into account any outstanding housing commitments in Helmsley. The proposed allocations will provide sufficient land to accommodate a minimum of 150 new dwellings whilst ensuring the efficient use of land and making best use of the opportunities available.
- 5.4 The English National Parks and the Broads Circular² states that the Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them. The circular goes on to say that new housing will be focussed on meeting affordable housing requirements, supporting local employment opportunities and key services. Paragraph 115 of the National Planning Policy Framework sets out the approach to affording “great weight” to conserving and protecting key elements of National Parks and Paragraph 14 (including footnote 9) makes clear that the status of a National Park is an important consideration in any plan-making relating to it. Against this background, the National Park Authority and Ryedale District Council are working together to implement the development requirements set out in the Ryedale Local Plan Strategy to ensure the coordinated planning of Helmsley.

5.5 Phasing of Sites

- 5.6 Future development will be phased in order to ensure there is an ongoing mix of new housing being delivered to meet local and wider needs. It also enables services and facilities to adjust to the additional population from new development. Whilst none of the sites face major constraints in terms of delivery, the Authorities are aware that a number of the sites may require a greater lead in time to achieve development than others. On this basis the phasing has been flexibly applied and sites have not been divided into phases which have differing start bandings, instead they have differing indicative end times (2022 and 2027). The timescales for each site are an indication of when the development is likely to happen and enables sites which support the delivery of employment land and the extra care facility to come forward. The phasing also reflects the need for the coordinated development of sites 174 and 183.
- 5.7 The delivery of housing will be monitored through the Monitoring Reports of each Authority and Ryedale District Council’s annual Strategic Housing Availability Assessment Part 1 Update. The delivery of Housing through the Helmsley Plan will also be monitored in a Ryedale District context to ensure that the Ryedale Plan: Local Plan Strategy housing target is met and that sufficient supply is released to achieve the target as a minimum throughout the plan period. Applications for allocated sites will be approved according to the timescales set out in Policy H1 and all other relevant policies in this Plan, Ryedale Plan: Local Plan Strategy and North York Moors National Park Authority Core Strategy and Development Policies Document.
- 5.8 The Ryedale Plan: Local Plan Strategy provides flexibility in both the management of supply and the monitoring and implementation of housing sites. To this end it

² English National Parks and the Broads UK Government Vision and Circular 2010

identifies a 5 year plus additional 20% National Planning Policy Framework supply buffer of development brought forward from later in the plan period to ensure choice and competition. It also identifies a 25% local tolerance in relation to housing delivery, where developers will not be penalised for the delivery of housing at a greater rate than originally anticipated within this 25% 'zone of tolerance'. As with the monitoring of housing delivery set out above, it is important to note that this is managed at a District level, rather than at an individual settlement level. However it is important that this plan reflects this flexible approach and to this end sites in excess of 150 have been allocated to ensure that the requirements is met In order to ensure that the planned levels of housing development in Helmsley are met. This will allow sufficient flexibility within the plan to ensure that needs are met without increasing the overall housing provision figure.

5.9 Housing Density, size and type

- 5.10 The provision of an appropriate mix of housing is key to achieving balanced and sustainable communities. New housing will need to address the changes in the demographic structure of Helmsley and reflect the needs of increased numbers of smaller households and older people. Building new homes to Lifetime Homes Standards ensures new dwellings are flexible and adaptable to create accommodation which is suitable for a range of households from people with small children to those coping with illness.
- 5.11 In terms of open market housing the Ryedale 2010 Strategic Housing Market Assessment identified a shortfall of one and two bedroom terraced houses, flats and bungalows. In order to meet the requirements of the ageing population Policy H1 requires that at least 5% of all new dwellings on proposals greater than 50 units must comprise bungalows to comply with the Ryedale Plan: Local Plan Strategy The demand for three bedrooms or more was generally balanced in supply. This type and size of dwelling for each site will be specified in the development briefs.
- 5.12 The Strategic Housing Land Availability Assessment suggested that 30 dwellings per hectare is an appropriate housing density for the settlement of Helmsley. However the housing density required for each site will be dependent on the site assessment.

5.13 Extra Care Provision

- 5.14 Extra Care provision is the development of self-contained homes with design features and support services to enable self care and independent living for people aged 55 and over. As a result of changes to the population by 2020 over 50% of the population of North Yorkshire will be over 65 years of age. In order to cater for these demographic changes North Yorkshire County Council has identified a need for a further 30 schemes across the market towns in the County, with a need for at least 4 facilities within Ryedale District. The evidence collected by North Yorkshire County Council demonstrates that there is a requirement for a facility of 60 units in Helmsley (this is the minimum number currently required to ensure the viability of the scheme). North Yorkshire County Council have identified a site to provide a facility in Helmsley and this has been identified in the Helmsley Plan. The provision of an extra care facility proposed by North Yorkshire County Council to meet locally identified needs is not included in the overall requirement for 150 new homes, which is in line with the approach taken in the Ryedale Plan: Local Plan Strategy, which was found sound by the Inspector.

5.15 Windfall Development

Policy H2 – Windfall Development

Proposals for new residential development on sites located within the defined Development Limit will be supported where the site comprises a small infill gap and/or fulfils the relevant policy requirements set out in the Ryedale Local Plan Strategy or North York Moors Core Strategy and Development Policies Document. Particular regard will be had to the following features in the consideration of windfall residential schemes in Helmsley:

- Ensuring that proposals conserve those elements which contribute to the historic character of Helmsley, especially the burgage plots and other important open spaces within the town;
- the setting of the town's built heritage including Duncombe Park and Helmsley Castle; and
- Important open views to the countryside.

Residential development outside the defined Development Limit for Helmsley will be restricted to those of an essential or exceptional nature as set out in the relevant policies contained in the Ryedale Plan: Local Plan Strategy or North York Moors Core Strategy and Development Policies Document.

- 5.16 Sites considered for allocation through the Helmsley Plan are those greater than 0.3ha in size. Any windfall sites of any size which come forward within the development limits will be considered against Policy H2 of this plan and also against the strategic policies of the relevant Local Planning Authority. Given the need to ensure the deliverability of this plan, enough allocations have been made to ensure the housing requirement is met and no windfall allowance has been made in terms of allocated supply and therefore windfalls do not count towards the 150 housing provision figure. However they are expected to only provide a limited contribution to housing supply and will be reflected in the monitoring of housing provision as set out in paragraph 15.1.
- 5.17 Development Limits are the boundary defined around a settlement within which appropriate development will normally be permitted. Different land use policies apply inside and outside these Development Limits. Although Ryedale District Council has set Development Limits the National Park Authority did not take this approach in the Core Strategy and Development Plan Policies Document. However in order to take a consistent approach in the Helmsley Plan a Development Limit has been established for the whole of the town not just the area which falls within Ryedale District Council and this is shown on the Policies Map.
- 5.18 The Development Limit for Helmsley has been established using the criteria set out below:-
- a) The boundary should wherever possible relate to defined physical features such as field boundaries, roads or watercourses.
 - b) The boundary is drawn tightly around the built form of the settlement including any land allocated for development or land with a current planning permission.
 - c) The settlement boundary will include the following land uses; residential, community facilities (including schools, shops and health services), employment uses, permanent hard surfaced car parks and identified recreation

or community open space such as allotments but excludes churches, cemeteries and sports facilities/fields.

- d) The boundary should follow the boundaries of the curtilage of properties except where buildings or structures are located in large grounds or open areas on the edge of settlements where the plot or area of extended garden may be excluded.
- e) One of the features of Helmsley is the retention of numerous historic burgage plots, which contribute greatly to the character of the Conservation Area, in particular the open views across to Helmsley Castle. Infilling of these plots would harm these distinct features and therefore the development boundary will be drawn tightly along the rear walls of the buildings that form the road.
- f) Buildings which are clearly separated from the main built up part of the town have been excluded.
- g) Important open areas on the edge of the town have been excluded from the Development Limits where development of these spaces would adversely affect the landscape setting or character of the settlement.

- 5.19 Any proposals for new housing and employment development on sites which have not been allocated in the Helmsley Plan will be considered as windfalls and will need to be located within the town's development limits as identified on the Policies Map. The development limit boundary includes those sites allocated in this Plan.

5.20 Affordable Housing provision

- 5.21 A key message from local people in response to both the consultation on this Helmsley Plan and the consultations undertaken on behalf of the Town Council is that there is a need to provide affordable housing to local people in order to ensure that the town remains a balanced and mixed community. Helmsley is a highly desirable place to live which is reflected in the high house prices. In 2011 even the lower quartile house prices cost an average £185,000. This means that families would require a household income of over £66,000 in order to access a mortgage if they were able to put down a 10% deposit. According to the North Yorkshire Strategic Housing Market Assessment 2011 the median annual gross household income in Helmsley Ward is £19,500. As house prices in the town are vastly disproportionate to local wages buying a house is out of the reach of many local people. As house prices continue to rise as predicted more people will be seeking private rented properties which will inflate the rental market, which will result in more people living with parents for longer or moving outside of the area to access cheaper accommodation.

- 5.22 The 2011 Sub Regional Housing Market Assessment identifies an annual need for 256 affordable housing units across Ryedale District of which a gross annual figure of 20 affordable units per year are needed in Helmsley. The North Yorkshire Strategic Housing Market Assessment identifies a gross annual housing need for 20 affordable units per year. The greatest level of need is for 1 bedroom apartments with a small requirement for 2 and 3 bedroom units. In the light of changes resulting from the Welfare Reform Act it is likely that there will need to be a focus on the need to provide larger 1 bedroom units, which have the capacity to be converted to 2 bedroom to accommodate changes in personal circumstances

Policy H3 – Affordable Housing Provision

On sites allocated for housing development and any other sites coming forward for 5 or more units or 0.2ha or more, an affordable housing target of 40% of all new housing will be sought where viable to meet the needs of local people. Where this target cannot be met, the applicant will need to submit an independent viability assessment justifying any lower provision of affordable housing. Where the number of affordable units to achieve 40% does not equal a whole unit, a pro-rated financial contribution will be sought for that part where viable.

Below the threshold of 5 dwellings or 0.2ha a pro-rated financial contribution will be sought from all residential development where this is viable.

Where this contribution cannot be met, an independent viability assessment justifying any lower target will be required. The type of affordable housing must reflect the housing need set out in the latest Housing Market Assessment.

- 5.23 Affordable housing in Helmsley will need to be funded primarily through developer contributions and therefore it will be necessary to support open market housing as well as affordable housing to meet the needs of local people. A target of on-site provision of 40% affordable housing will be sought on the sites allocated in Policy H1 and any sites which meet the threshold where viable. Where the provision of on-site housing does not equal a whole number, the resulting 'part' of the affordable unit will be sought as a pro-rated financial contribution where viable. For sites under this threshold a target of 9% of the scheme's sales value will be sought where viable. This figure is supported by Financial Viability Assessments carried out by both Ryedale District Council (J R Stroughair 2011) and the North York Moors National Park Authority (DVS 2011). Where developers argue that the target of 40% affordable housing is not viable on a particular scheme an assessment will be carried out by Ryedale District Council's in house valuer where the site is located in Ryedale and by an independent valuer for sites located in the National Park.
- 5.24 The starting point for discussions on the tenure mix of affordable housing is that it should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate. The precise tenure mix will be negotiated to ensure that the provision of affordable housing on a scheme reflects the needs of the town at the time an application is made.
- 5.25 All the affordable housing provision will be subject to a legal agreement restricting the occupancy of the unit to people from the local area (Helmsley Parish and then cascaded to adjacent Parishes). In most cases the developer will sell the affordable homes to a Registered Provider at Ryedale District Council's agreed transfer price. Allocations for the properties will be made via North Yorkshire Homechoice Choice Based Lettings scheme (or its successor).
- 5.26 **Traveller Provision**
- 5.27 The National Planning Policy Framework says that Local Planning Authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which addresses the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. Whilst the Gypsy and Traveller accommodation survey carried out across North Yorkshire in 2008 identified a shortfall of 9 traveller pitches and 2 show people

pitches across Ryedale District, additional Gypsy and Traveller accommodation has been provided elsewhere in Ryedale through the extension of the Tara Park in Malton. Therefore no gypsy or traveller accommodation needs to be identified in this plan.

6. Employment Provision

- 6.1 Helmsley has a range of economic activities, the town is a traditional market town, which offers a range of local services as well as high end retail offer and is also a significant tourist destination. According to the 2011 Census 1.6% of the population of the Helmsley Parish were classified as unemployed, which is well below national levels. The largest employment sectors in the Parish were wholesale and retail trade; motor vehicles and motor cycles (16.2% of the working population) closely followed by accommodation and food service activities (13.9% of working population). The Helmsley Plan aims to expand the existing employment opportunities for local residents through the allocation of additional land for employment. The main focus for employment in Helmsley is the Sawmill Lane Industrial Estate, where 6.05 hectares is protected by policy for employment use. There are also a cluster of businesses located around the market square, however other than a few offices above retail units there is no significant office market in the town.

Policy H4 – Employment Land

Proposals for new employment facilities will be supported on the sites below which are identified for this use on the Helmsley Plan Proposals Map.

Site EMP1, Land South of Riccal Drive – Up to 1.3ha

Site EMP2, Land to the East of Riccal Drive – Up to 0.6ha

Employment opportunities on non-allocated sites; the expansion of existing employers; the conversion of existing buildings for employment uses; and the provision of live-work units will be supported in line with Policy SP6 of the Local Plan Strategy and Policy DP10 of the North York Moors Core Strategy and Development Policies Document.

Sites EMP1 and EMP2 and existing employment land and premises at Sawmill Lane will be protected as employment use and their change of use to non-employment uses resisted. The change of use of other land and building in current employment uses will also be resisted where they contribute to the sustainability of the local economy of Helmsley unless it can be satisfactorily demonstrated that those sites are no longer economically viable.

- 6.2 In 2010 Ryedale District Council published the Employment Land Review Update carried out by Entec UK Limited. The review recommended that between 37 and 45 hectares of employment land should be allocated across Ryedale District to ensure a continuous rolling supply of land to support economic activity. From this evidence it is proposed that up to 2 hectares of employment land is allocated in the market towns of Helmsley and Kirkbymoorside, to ensure that there is sufficient available and deliverable land to meet the continued economic expansion of the towns. From the sites available for employment purposes EMP1 and EMP2 allocates 1.9ha of land in Helmsley for employment use. Infrastructure will be a key element to ensuring that new businesses are attracted to Helmsley, which will generate further employment opportunities for local people. The provision of a range of employment opportunities

will also help to lift local wage levels, which may assist local people in accessing the housing market. The Authorities consider it is important to ensure that the Helmsley Plan supports a wide range of employment opportunities including modern working practices including live-work units where appropriate.

- 6.3 Existing employment provision in Helmsley contributes significantly to the local economy as employees typically live within a close range of Helmsley. A significant employer in the town is Thomas the Bakers who have their headquarters at Sawmill Lane employing around 100 people. The Helmsley Plan seeks to support these existing operations, including their expansion and reconfiguration where needed. It is also important that the local employment opportunities, including the proposed employment allocations are retained for employment purposes where viable, to ensure the sustainable growth of Helmsley.
- 6.4 This policy supports the priorities of the York, North Yorkshire and East Riding Local Enterprise Partnerships Draft Strategic Economic Plan, particularly in relation to becoming a leader in food manufacturing and profitable and ambitious small businesses.

7. Retail and Commercial Development

- 7.1 Helmsley Town Centre and its marketplace are an essential part of the town's economy and community. The town provides a range of retail uses and holds a popular weekly market, which draws in residents from the wider local area. The commercial centre of the town provides a range of shops and other facilities which are vital to its continued sustainability. It is important to ensure that new proposals for shops and other non retail uses such as financial and professional services are encouraged to locate within the town centre in order to contribute to the continued vitality of the centre. Where proposals are put forward for retail uses out of the main commercial centre of the town applicants will need to meet the sequential tests set out in national policy.



Commercial Area of Helmsley

- 7.2 The Ryedale Plan: Local Plan Strategy in Policy SP7 sets out that there is a requirement particularly for additional non-food or 'comparison' shopping in Helmsley. However this is not to be achieved through the Authorities identifying specific retail allocations. Instead this will be achieved through appropriate development proposals coming forward for either intensified retail uses or the redevelopment of land or buildings within or on the edge of Helmsley town centre. Any proposal for main town centre use will need to satisfy Policy H5 of this Plan.

Policy H5 New Main Town Centre Uses

Retail and other town centre development will be focussed in Helmsley Town Centre (as defined by the commercial limits on the Policies Map) which will be the focus for a mixture of appropriate town centre uses. The Authorities will support development proposals which enhance the viability and vitality of Helmsley Town Centre.

Developments involving main town centre uses (which include retail, leisure, commercial, office, cultural and community development) which are located outside of the commercial limits will only be permitted where they satisfy the retail sequential test as set out in national policy.

Proposals which involve the intensification of existing town centre uses or are ancillary to an existing use will be supported where they are judged to enhance the viability and vitality of Helmsley town centre.

A local floorspace impact threshold will be applied for the assessment of proposals not in accordance with either this or the respective Authorities' development plans and outside of the defined commercial town centre limits. This will apply where a scheme involves:

500 sq m (gross) for comparison only schemes or

750sq m (gross) for convenience only schemes or;

Where a proposal involves a combination of convenience and comparison retail floorspace, a threshold of 1000 sq m (gross) of the total retail floorspace

Where proposals trigger this threshold, the applicant will be expected to undertake an impact assessment in line with the requirements of national policy.

- 7.3 It is essential that Helmsley town centre remains a vibrant town centre and adapts to changing circumstances when they arise. Where proposals are put forward for retail uses outside of the commercial limits of the town, applicants will need to meet the sequential test as set out in national policy which seeks to promote proposals in the town centre first.
- 7.4 It is also important that any proposals of a certain scale do not have a significant adverse impact on Helmsley town centre or any other local centres. A local floorspace threshold for the assessment of impacts for any scheme outside of the town centre and not in accordance with this plan has been set at a scale appropriate for Helmsley, to ensure that the impacts of any schemes are taken into account and comply with those set out in the Ryedale Plan: Local Plan Strategy.
- 7.5 Provision should be made for small scale recycling facilities alongside new retail uses where suitable to the use and where space allows.

Policy H6 – Protection of Retail Uses

Proposals which will result in the loss of retail floorspace on Primary Retail Frontages along Bridge Street, Borogate, Church Street and Market Place will be resisted unless it can be demonstrated that it is no longer suitable or viable for the current use.

- 7.6 To support Helmsley's role as a key Local Service Centre and tourist gateway, it is important that its vitality as an attractive and vibrant town centre is maintained. The loss of retail units in the town centre can have a detrimental effect, particularly on the Primary Retail frontages. The Authorities will carefully consider any proposal which – individually or cumulatively - will result in non retail or commercial use of premises in these locations.

Policy H7 – Loss of Community Facilities

Proposals which will result in the loss of community, cultural, leisure and recreational facilities (including Helmsley Town Hall, Helmsley Arts Centre and Recreational Facilities at Baxtons Lane) will be resisted unless it can be demonstrated that

- i) it is no longer suitable or viable for the current use; or
- ii) suitable alternative replacement facilities are provided.

All new proposals will need to be considered alongside other policies set out in the Ryedale Plan: Local Plan Strategy or the North York Moors National Park Authority's Core Strategy and Development Policies Document.

- 7.7 Both the National Park Authority and Ryedale District Council recognise the important role that local retail, employment, community, leisure and recreation facilities play in the continued vitality of Helmsley and its role as a Market Town. For this reason where planning permission is required the Helmsley Plan will seek to protect these facilities unless it can be robustly demonstrated that the facility is no longer viable. A marketing exercise will need to be undertaken and this must demonstrate that the existing facility has been advertised in public for a minimum period of 12 months, including regular advertisements in the local press.

8. Design

- 8.1 The town today retains much of its character from the 18th and 19th centuries with traditional features including wide streets interspersed with pedestrian or single track alleys. The majority of buildings in the centre of the town are small in scale and constructed of local stone. The dominant character is pavement edge development, while Borough Beck which flows through the town also defines its traditional appearance. More modern development to the east of the town feature very different characteristics to the historic core with cul-de-sacs and front gardens.



Wide open streets with frontage development along Bondgate and the High Street

- 8.2 In May 2010 Helmsley Town Council published a policy statement for the town called 'The Future of Helmsley'. The policy statement set out a number of guidelines which should be borne in mind when considering future development in the town. The Conservation Area Appraisal published jointly by Ryedale District Council and the National Park Authority also contains guidelines for design of future development. Reference should also be made to the National Park Authority's Design Guide (Parts 1 to 5). The policies set out below have taken into account some of the main guidelines from these documents which will apply to all new development. Specific guidance on design specific to each development site has been set out in the individual site development briefs.

Policy H8 - Important Open Views and Spaces

New development should respect the views, vistas and skylines that are influenced by the town's key historic buildings including All Saints Church, the Feversham Arms Memorial, the Town Hall, Duncombe Park and its Parkland, the remaining burgage plots to the west of Church Street/ Castlegate and the long distance views of the town which play an important role in the character of the town and the setting of the North York Moors National Park.

- 8.3 The fact that Helmsley is nestled within a hollow means that the roofscape is an important part of its character, particularly when viewed on the approach roads from Thirsk and Stokesley and attention should be paid to vary the ridge lines of new developments on the edge of the town. The taller historic buildings of All Saints Church, Helmsley Castle and the Town Hall have a significant impact on the character of the Conservation Area and the setting of these buildings and the views towards them should be retained.



Long distance views of the town from Thirsk and Stokesley approaches

- 8.4 There are a number of important open spaces which contribute to the setting of these historic buildings including the burgage plots to the rear of Church Street and Castlegate which are considered worthy of protection. Often the burgage plots have been constructed lengthways along the boundaries of the burgage plots and these low level buildings allow views through the area, in particular towards All Saints Church.



Remaining examples of Burgage Plots

Policy H9 - Design

All new development should respect the existing settlement character, patterns and layouts and the principles of traditional building design to ensure that the 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.

- 8.5 The design of any new development should reflect the immediate environs in terms of massing, fenestration detailing and scale. The traditional detailing and local features should be reflected or complemented in the design of new buildings. Due to the high environmental quality and intact historic street frontages, it is envisaged that most new development will take place on back land areas. Where development takes place on back land areas it should respect the scale, massing, materials and character of the surrounding buildings. Where historic land divisions survive these should be maintained.



Important open spaces in the town

- 8.6 The marketplace forms the historic, social and commercial nucleus of the town. Careful attention should be made to the design of shop frontages and commercial information signs in order to limit the visual clutter of this area.
- 8.7 When designing new proposals applicants should consider the implications for crime and for adequate provision of refuse and recycling receptacles.

9. Renewable Energy

- 9.1 A priority for both Planning Authorities is to mitigate the effects of climate change through the reduction of Carbon Dioxide emissions. As buildings can have a significant impact on carbon dioxide emissions it is important that they are constructed in a manner where they have as low an impact as possible. New buildings should incorporate enhanced insulation, renewable energy technologies and should be positioned to take advantage of passive heating and cooling. Officers will work closely with developers to ensure that new buildings are designed to maximise energy efficiency.

Policy H10 – Renewable Energy

All proposals for new build residential development must demonstrate that it meets the highest 'Code for Sustainable Homes' standard (or its successor) that is feasible and viable on the site.

All proposals for non-residential development above 1000sq metres must demonstrate that it meets the highest BREEAM standard (or its successor) that is feasible and viable for that type of development on the site proposed.

In meeting these requirements and for proposals that generate renewable and/or low carbon sources of energy will be supported providing they do not harm the visual character of the town, the historic buildings, biodiversity or the special qualities of the North York Moors National Park.

- 9.2 The current recognised standards aimed at reducing energy emissions are the Code for Sustainable Homes and The Building Research Establishment Environmental Method (BREEAM). At present only some of these standards are mandatory through building regulations, however both Local Planning Authorities believe that all development should be built to as high a standard as is available nationally and deliver on site renewable and low carbon energy.
- 9.3 The Local Planning Authorities will take into account the feasibility and viability issues associated with the delivery of decentralised renewable and low carbon energy. Where it is not feasible or viable to provide on-site renewable/low carbon energy, consideration will be given to Allowable Solutions in line with agreed national definitions.

10. Green Infrastructure

- 10.1 Green spaces including woodland, grassland, rivers, streams, hedges and verges are collectively known as green infrastructure. Networks of green infrastructure together are integral to the character and appearance of the landscape, encourages tourism and helps to support communities in living healthy lifestyles.

Policy H11 – Green Infrastructure

All development proposals within the Plan area must demonstrate a net gain in green infrastructure to support biodiversity and environment systems and to provide opportunities for activity and relaxation, commensurate with the scale of the development. This should include expansion and enhancement of green infrastructure assets. Where there is existing green infrastructure this should be protected.

- 10.2 There are opportunities through the Helmsley Plan to improve green infrastructure provision in the town, particularly through improving links with the Cleveland Way and increasing the use of the disused railway line. Provision for green infrastructure should be incorporated into the detailed design of each scheme and consideration should be made on the implications for crime.

11. Parking Provision

- 11.1 All development proposals in Helmsley will be expected to comply with the parking standards established by North Yorkshire County Council. The Current standards are set out at appendix 1.

12. Infrastructure Requirements

- 12.1 The current necessary improvements to utilities infrastructure required to facilitate the levels of development set out in the plan are set out in Table 1 below.

Table 1: Necessary Utility Infrastructure Requirements

Planned/Required	Risk and Contingency
Gas – potential requirement for reinforcement of supply depending on location of new sites	Low – none necessary
Electricity – no capacity issue/constraint currently identified but reinforcement of the distribution network may be required on a site by site basis	Low – none necessary
Water supply – no capacity issue/constraint currently identified	Low – none necessary
Sewerage Capacity – no constraints	Low – none necessary
Surface Water Drainage – as above for sewerage capacity	Low – none necessary

- 12.2 Reinforcement works to utility infrastructure required for the accommodation of development will normally be undertaken by the utility providers direct as part of their investment planning cycle process. Where a developer wishes to proceed with development in advance of this, discussion would need to take place with the utility providers.
- 12.3 A number of deficiencies in transport, open space, recreational space, health and education facilities have been identified, which will need to be addressed through the

site allocation process. These issues have been carried through to the development briefs for each site.

Table 2: Necessary Improvements to Community Facilities and Physical/ Environmental Infrastructure

Facility	Planned/Required
Transport	Improvements to internal highway junctions including Carlton Lane / A170 junction. Improved cycle and pedestrian facilities
Environmental	<p>Quantitative deficiencies in market town amenity space, central sites for children's play, young people's provision in south east Helmsley, outdoor sports including enhancements to the existing sports facilities at Baxton's Lane and allotments</p> <p>Qualitative deficiencies provision for children and young peoples provision and outdoor sports</p> <p>Environmental improvements including, maximising/ enhancing green corridor networks</p> <p>Public realm improvements including Helmsley Market Place.</p> <p>Additional waste lorry and waste receptacles.</p>
Health and Education	<p>Primary Health Care. No capacity issue/constraint currently identified</p> <p>Requirement for 60 unit NYCC Extra Care facility</p> <p>Primary Education – additional capacity required to be met through the provision of additional classroom at Helmsley Community Primary School</p>

13. Developer contributions

- 13.1 Contributions from developers are an important way of providing necessary infrastructure improvements which are required as a result of new development such as any highways improvements or new classrooms. This will help integrate new development into Helmsley in a sustainable way. Contributions can be used in various ways but the main factors are to mitigate the impact of new development, or to compensate for the loss or damage to specific features or to deliver specific forms of development – in particular affordable housing.
- 13.2 Currently contributions are negotiated with developers and are secured as planning obligations through Section 106 Agreements. In the future, there are two ways of collecting contributions from developers. Section 106 agreements will be used to fund infrastructure improvements directly related to the development of the site e.g. highway improvements. Secondly through the Community Infrastructure Levy (CIL) whereby a charge is collected on all new development to pay for improvements across the charging authorities area which are set out in an infrastructure list.
- 13.3 The National Park Authority and Ryedale District Council are working jointly to establish a potential CIL charge for new development, which will help to provide the

new infrastructure required to support new development in the District. Ryedale has already undertaken consultation on a Preliminary Draft Charging Schedule and the National Park are investigating the viability of introducing a CIL charge. Any CIL Charging Schedule will be subject to a separate Examination. If a Charging Schedule is adopted by the Authorities, the scope of S106 agreements will be limited to site specific (“on-site”) provision including affordable housing, highways and open space.

Policy H12 – Developer Contributions

In order to address the necessary improvements to social, physical or utility infrastructure which are required as a result of new development contributions will be sought through either a S106 agreement or through a Community Infrastructure Levy Charging Schedule (CIL) if adopted by Ryedale District Council and the National Park Authority.

Planning Obligations will be sought to regulate development, to address onsite mitigation measures to address its impact or to compensate for the loss of damage of a facility, feature or resource of acknowledged importance.

Developer contributions and CIL funds will be used to address a range of requirements. This includes those set out in Table 2 (Improvements to Community Facilities and Physical/ Environmental Infrastructure) and will be set out in the Regulation 123 Infrastructure Lists of each authority’s CIL Charging Schedule when adopted.

Once the Authorities have adopted a Community Infrastructure Levy (CIL) Charging Schedule and Infrastructure List, developer contributions through S106 Agreements will be limited to site/development specific contributions (including highway works; affordable housing; open space and other contributions) which are necessary as a result of the scheme and which are essential to allow the granting of planning permission.

14. Open Space Provision

- 14.1 The Ryedale Local Plan Strategy seeks contributions for all new residential development for the provision of open space under Policy SP11 based upon the standards set out in the Council’s Open Space Study. As set out in Table 2 quantitative deficiencies have been identified in the informal market town amenity space, the central pay area, young people’s provision in the south east of the Town and in allotment provision.
- 14.2 Residential schemes up to 14 dwellings will need to provide an off-site contribution for open space in line with Table 3 above and Residential schemes of 15 dwellings or more will be required to include on-site provision of informal amenity space (e.g Local Area for Play), unless considered impractical or unfeasible and an off-site contribution is more appropriate. Residential schemes of 50 dwellings or more will be required to provide on-site formal children’s playspace (Local Equipped Area for Play or Neighbourhood Equipped Area for Play as appropriate). Requirements for open space are likely to be included within the 123 Infrastructure list for all the Authority’s CIL schedules. If CIL is adopted contributions for off-site open space will be collected through this mechanism unless on-site provision is required. Where contributions are sought through S106 agreements they will be subject to the scheme’s viability.

Policy H13 – Open Space Requirements

The provision of open space will be sought from all new residential development for open space provision on the basis set out below.

Table 3 Open Space Contributions

	Quantity Standard	Developer Contribution/ Provision based on
Provision for Children and Young People	0.85 facilities per 1000 population	tbc
Outdoor Sports Facilities	2.05 ha per 1000 population	tbc
Indoor Sports Facilities	Sports Halls: 0.27 courts per 1000 population Swimming pools: 11.33m ² per 1000 population Village Halls: 1 hall per 535 people	tbc
Allotments	0.51 ha per 1000 population	tbc

* the financial contributions expressed in £ will be set out in an annually updated Guidance Note

- 14.3 All proposals for new open space provision will need to be considered against other policies in both this plan and the North York Moors National Park's Core Strategy and Development Policies Document and the Ryedale Local Plan Strategy.

15. Telecommunications and IT Installations

- 15.1 The development of high speed broadband technology and other communications networks play a vital role in enhancing the provision of local services and is essential for sustainable economic growth, however careful consideration is required on the design and siting of new apparatus.

Policy H14 Telecommunications Installations

Proposals for IT and telecommunications infrastructure will be permitted where:

- There is an operational requirement for the equipment
- There are no satisfactory alternatives following an assessment of erecting apparatus on existing buildings where appropriate, masts or other structures.
- The siting and appearance of the proposed apparatus and associated structures will not have an adverse impact on the character and appearance of the Conservation Area, the historic environment or the wider landscape particularly the National Park.

16. Proposed Allocations

- 16.1 The proposed allocations are identified on the Helmsley Plan Policies Map. Design Briefs and more detailed maps of each site are set out in the Development Brief section of the Plan. These have been chosen following the application of the Site Section Methodology – the process and outcome of this is set out in Appendix 2.

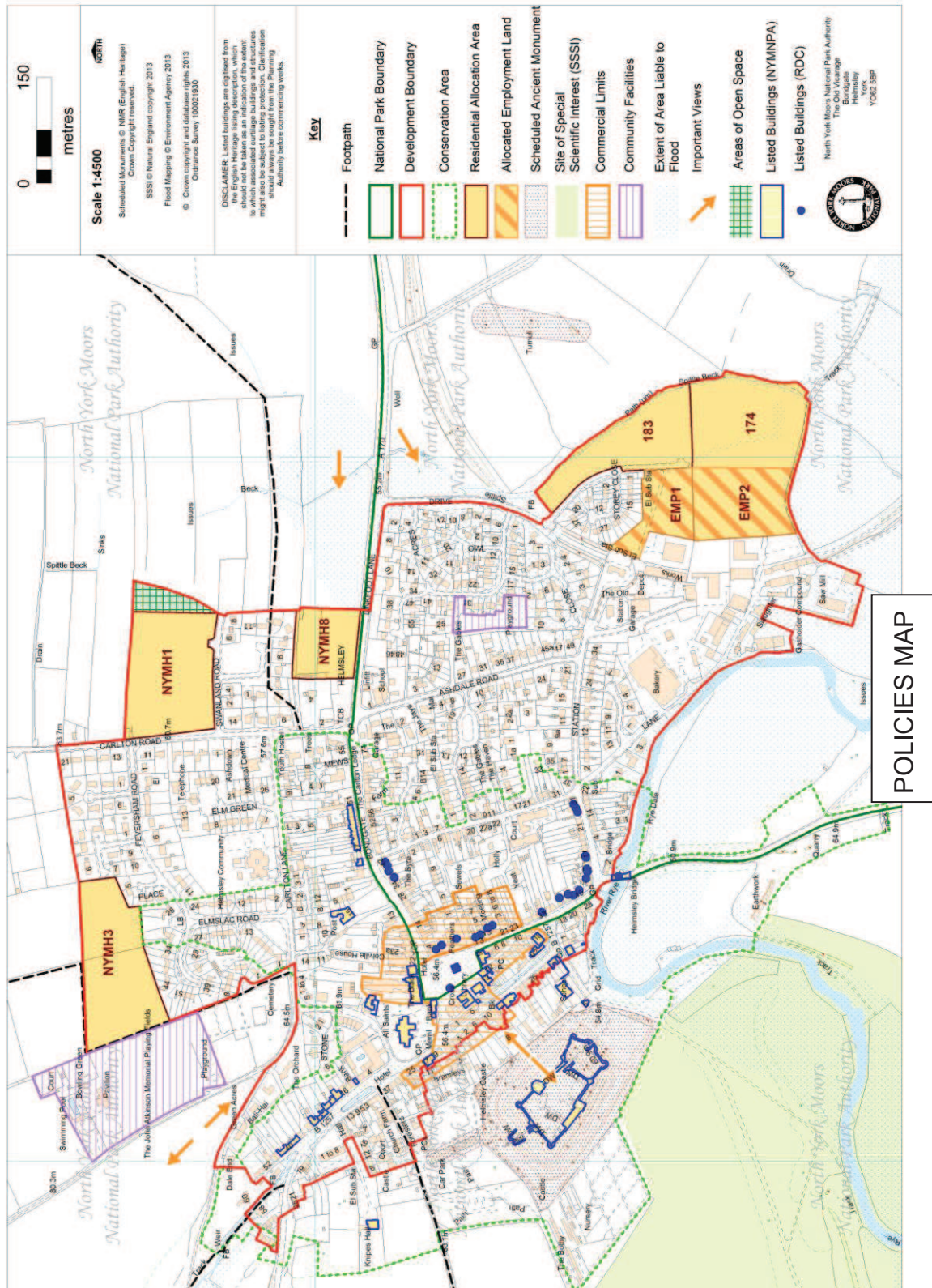
17. Monitoring

- 15.1 The sites allocated in the Helmsley Plan will be set out in a housing trajectory which will be updated and reported on annually as part of each Authorities Annual Monitoring Report or successor. Where the annual assessment of housing land supply identifies an issue of under supply both Authorities will take action to identify any barriers through discussions with landowners and developers.

Site Reference	Indicator	Target
NYMH1, NYMH3, NYMH8, 183 and 174	Number of residential units completed	150 units completed a) By 2022 – at least 100 completed b) By 2027 – at least 150 completed
NYMH1, NYMH3, NYMH8, 183 and 174	Percentage of total units completed which are affordable as defined in NPPF	40% of all completions are affordable
EMP1 and EMP2	Area of employment land completed	Up to 1.9 ha of land has been allocated for employment use in the town

18. Sustainability Appraisal And Habitats Regulation Assessment

- 18.1 Sustainability Appraisal (incorporating the requirements for Strategic Environmental Assessment) has been undertaken as part of the production of the Helmsley Plan. Sustainability Appraisal enables the implications of the Plan on the environment, the community and the economy to be assessed throughout its production and for these implications to be taken into account as an integral part of the development of the Plan.
- 18.2 An assessment is also required under the Habitats Directive which seeks to ensure that the Plan does not harm the integrity of any internationally protected nature conservation sites (specifically Special Areas of Conservation, Special Protection Areas and RAMSAR sites).
- 18.3 Reports relating to both of these processes are available to accompany the Publication version of the Helmsley Plan. These can be viewed on the Authorities' websites or by contacting the Authorities.



DEVELOPMENT BRIEFS

Development Brief for Site NYMH1 Land North of Swanland Road and East of Carlton Road (to be read alongside Helmsley Plan Policies)

Proposed Site Area

2.3ha in total

Owner/Agent

Wharfedale Homes

Potential Residential Yield

60 units

Current Use

Grazing land.

Site Description

The site is located to the north of Swanland Road, where access has been created into the site by the original development. The land falls gently from north east to south west and is bounded on its northern edge by much steeper slopes rising towards Ashdale Plantation, Cliff Hill and Monk Holme Wood. The development site is broadly level.



The site comprises semi-improved and improved grassland used for sheep grazing. The site is enclosed along the western and northern edges by post and wire fencing.

Constraints

There are some mature trees on the north east corner of the site mainly oak with some sycamore. In addition there is a relic traditional apple orchard to the south east corner of the site between Swanland Road and Carlton Road. Historic mapping suggests that this is over 100 years old and part of a larger orchard that originally reached west to Carlton Road. These types of orchards are rare nationally. The design of the scheme should take into consideration these trees and should be planned in order that they can be retained.

Landscape Assessment

The site is directly overlooked at close range from the existing housing on Carlton Road, Swanland Road and Ryedale Close and its location generally conforms with the existing development pattern in the town. Long distance views from the north are largely contained by landform. Development on this site is considered acceptable in landscape terms subject to careful retention of the existing mature trees and restoration of the orchard area.

Accessibility

The site has good overall accessibility being within close proximity to a bus stop, primary school and doctors surgery.

Flood Risk

All of the site is located within Flood Zone 1. Any development greater than 1 hectare in size will require a Flood Risk Assessment at full planning application stage which should pay particular attention to drainage. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

The Highways Authority have confirmed that access from the site is acceptable, however the impact on the existing highway network will need to be determined by a traffic assessment at full planning application stage.

Site Allocation

Up to 60 residential dwellings of a mix of different sizes.

Justification

The site is well located within 5 minutes walking time of the primary school and doctors surgery and less than 10 minutes walk from the commercial area. There are existing residential properties along the west and southern boundaries of the site and it is considered that the proposed allocation area can accommodate new residential development without causing harm to the character and setting of the town.

Key Principles for Development

Housing Types and Affordable Housing Provision

Development should comprise a small number of larger 4 and 5 bedroom properties with the majority being a mix of two and three bedroom. At least 5% of the total units should be bungalows to accommodate the aging population of the town. A small number of single bedroom apartments should also be accommodated. All new homes should meet Lifetime Homes standards (or its successor) to ensure that properties can be adapted to meet the changing needs of residents where required.

As set out in Policy H3 up to 40% of all units should be affordable. The starting point for discussions on the tenure of affordable housing is that it should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

Design Principles and Infrastructure Requirements

The site is prominent and the design will need to be of very high quality. The predominant building materials will be natural stone and pantile. The density and character of the development should replicate and reinforce the existing street patterns being no greater than 2 storeys in height, although a mix in ridge heights will be required. The layout of the scheme should be in keeping with the scale and massing of the buildings in the immediate area.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

The proposed development should consider the guidelines for new development set out in the North York Moors National Park Design Guides (Part 1: General Principles and Part 3: Trees and Landscape).

The eastern boundary of the allocated area provides an opportunity for soft landscaping or open space, which will merge the built development with the open countryside beyond this identified on the Policies Map as an area of open space.

The site should be bounded with hawthorne hedges to replicate the existing boundary appearance of fields in this area. The layout and landscaping of the site should be carefully considered.

There are the remnants of an ancient orchard on the site, which could be retained and reinforced with new planting as part of a new development scheme, which could provide a community resource.

The design should encourage people to walk or cycle.

The implications for crime should be considered.

Street lighting should be kept to the minimum required.

All electricity and telephone connections should be placed underground within the site.

There is scope for a range of renewable energy solutions on the site and the developers are encouraged to integrate these technologies into the site.

Measures to address Sustainable Building and Waste Reduction should be encouraged in the final design. Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

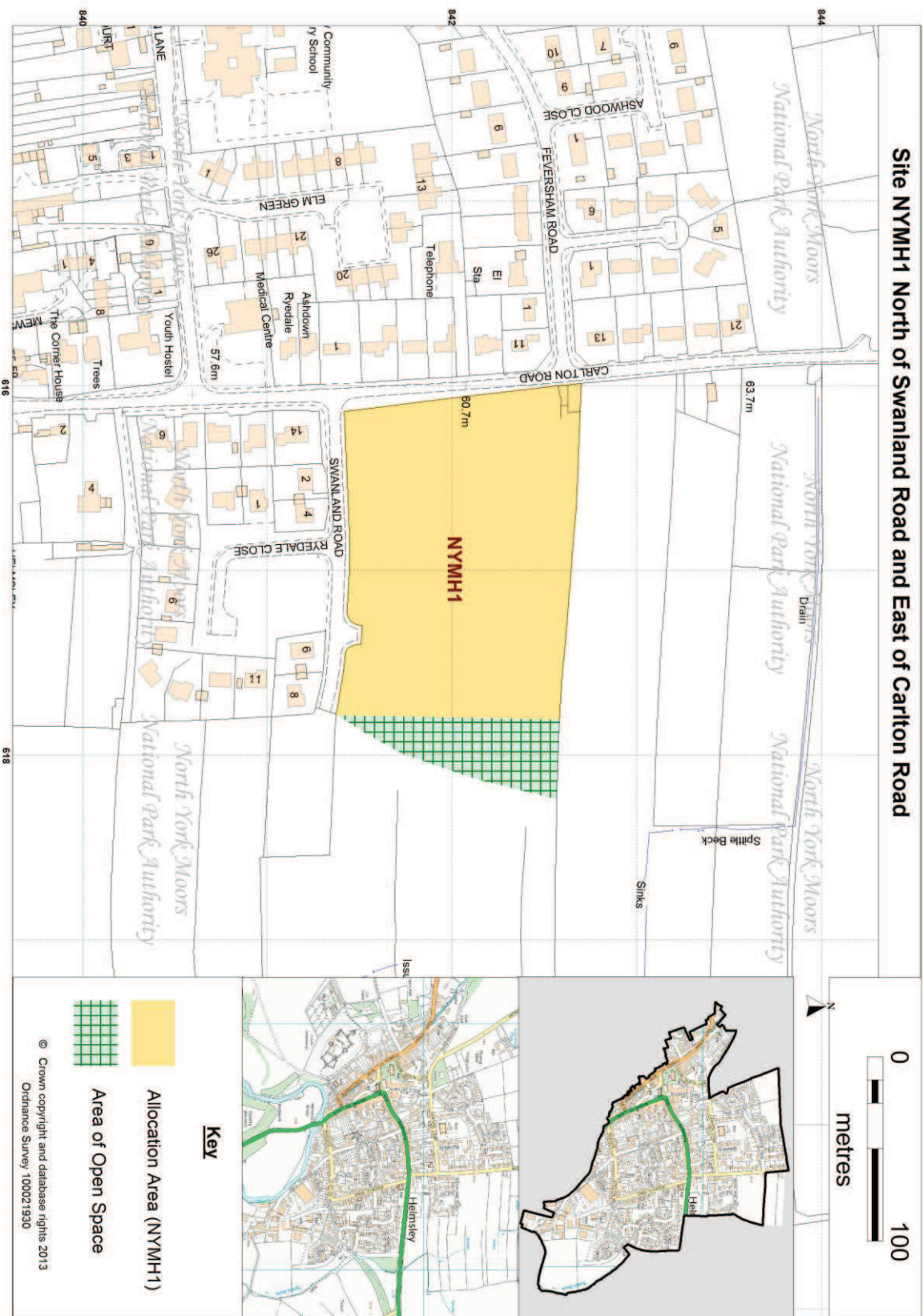
A children's play area will be required on-site where more than 50 units are proposed.

Broadband provision should be incorporated into the scheme design where possible.

Contributions will be sought for improvements to the junction between Carlton Road and the A170.

Timescale of Development

2014 to 2022



Development Brief for Site NYMH3 – Land North of Elmslac Road (to be read alongside Helmsley Plan Policies)

Site Area

2.1ha

Potential Residential Yield

35 plus 60 unit extra care facility

Owner/Agent

Keepmoat

Current Use

Half of the site is currently used as an overflow sports field the remaining is in grazing use.

Site Description

The site is located to the north of the Elmslac Estate in the north of the town and half is currently used as an overflow sports pitch. The site is adjoined by the existing housing along Elmslac Road, Feversham Road and Ashwood Close. The site is bounded by garden hedges and fences on the south, by a hawthorn hedge to the east, by close boarded fencing and a line of semi mature ornamental trees to the west and by post and wire fencing with some remnant hedgerow shrubs on the north.

The western part of the site is bounded to the west and north by a public footpath that is part of the Tabular Hills Walk, a long distance walking route that connects southwards to the Cleveland Way National Trail.



Constraints

Part of the site is currently utilised as an overflow sports field, an appropriate replacement for this provision will need to be secured prior to any planning permission being granted. Any proposal which results in the loss of a playing field will need to be referred to Sport England for their consideration.

Landscape Assessment

The site is contained to the south and east by the existing housing and to the west it is partly screened by trees. To the north it is largely open to view at close range although longer views in from the north are contained by the woodland and rising ground. There are almost no views of this site from any of the main approaches to Helmsley as it is largely hidden behind the built up area. There are views from the public road which runs to Carlton. Although the site fits in reasonably well with the existing built form, the fit is noticeably better in the east where the site tucks in behind Ashwood Close than in the west where the ground rises and the site projects further into open countryside. Development on the site is considered to have modest direct impacts on landscape fabric as the land has few landscape features of note.

Accessibility

The site has good overall accessibility being within close proximity to the primary school, the doctors surgery and the retail areas of the town.

Flood Risk

The site lies within Flood Zone 1. For any development site that is more than 1 hectare in size a site specific flood risk assessment will be required and should pay particular attention to drainage. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that the access from the existing highway is acceptable onto the road between Ashwood Close, however a traffic assessment will be required at full planning application stage.

Site Allocation

Up to 35 dwellings with a mix of sizes and a 60 unit extra care facility.

Justification

The site is considered suitable for residential development as it is well screened from wider views and not considered to have an adverse impact on the special qualities of the National Park. Full planning permission for the site will be subject to a legal agreement which will identify and provide for a replacement overflow sports field.

The remainder of the site is considered to be the most suitable site in Helmsley, as it relates well to the existing built form of this part of the town.

Key Principles for Development

Housing Types and Affordable Housing Provision

A mix of housing types will be required including a large proportion of 2 bedroom properties to meet the shortfall identified in the housing needs surveys. All new homes should meet Lifetime Homes Standards (or its successor) to ensure that properties can be adapted to meet the changing needs of residents where required.

The open market housing provision will be used to cross subsidise the extra care facility, however this itself will have an element of open market provision in order to provide a range of choice.

Design Principles and Infrastructure Requirements

An alternative site must be secured to replace the existing overflow sports field.

The predominant building materials for the new housing will be natural stone and pantile. The density and character of the development should replicate and reinforce the local development patterns. New dwellings should be no greater than two storeys in height.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

The effect of the existing vista view into the open countryside along Elmslac Road should be retained through the design of the development.

The extra care facility should not be greater than 2.5 storeys in height (i.e. floorspace to be accommodated through the use of dormer windows).

The proposed development should consider the guidelines for new development set out in the North York Moors National Park Design Guides (Part 1: General Principles and Part 3: Trees and Landscape).

Public access should be made available to allow people to walk to the sports facilities and playground on Baxtons Road and to link with the wider public footpath network.

The implications for crime should be considered.

Trees and hedgerows around the boundary of the site should be maintained where possible. A strong new hedgerow with hedgerow trees should be created along the northern edge of the site to soften the built edge in views from the north.

There is scope for a range of renewable energy solutions on the site and the developers are encouraged to integrate these technologies into the site.

Measures to address Sustainable Building and Waste Reduction should be included in the final design.

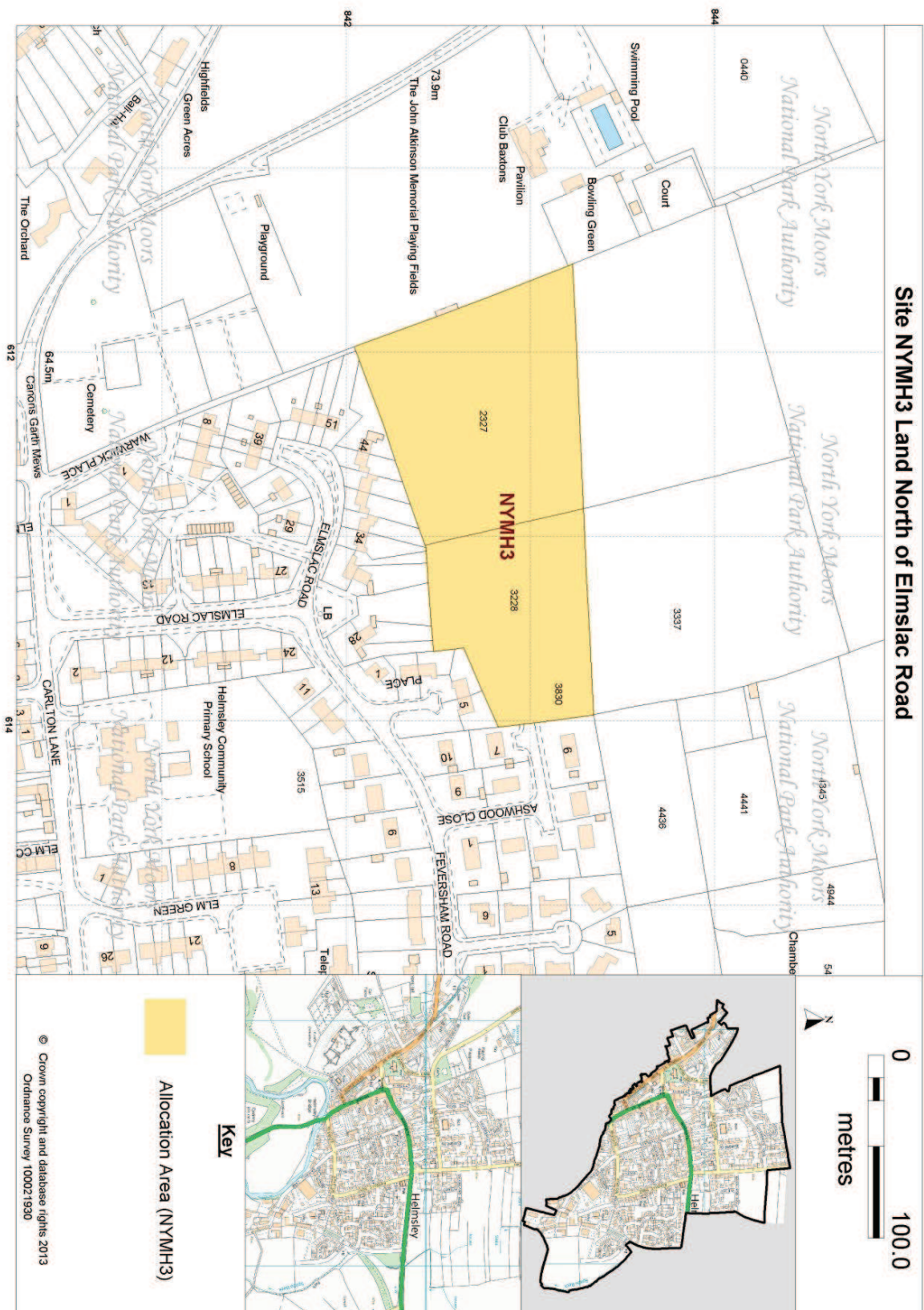
Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

Broadband provision should be incorporated into the scheme design where possible.

Contributions will be sought for improvements to the junction between Carlton Road and the A170.

A traffic assessment and Travel Plan will be required with any detailed planning application.

Timescale 2014 to 2022



Development Brief for Site NYMH8 Land to the South of Swanland Road (to be read alongside Helmsley Plan Policies)

Proposed Site Area

0.8ha

Owner/Agent

Wharfedale Homes

Potential Housing Capacity

20 units

Current Use

Grazing land.

Site Description

This is a small site located between the A170 and the single storey development at Swanland Road. The land is relatively flat and is bounded along the A170 by a strong deciduous tree line. The site comprises semi-improved and improved grassland use for sheep grazing.

There is a public footpath to the north of the development site.



Landscape Assessment

The site is south of existing housing and is well contained visually being set slightly below road level and being fully enclosed by hedgerows as well as by young mature trees along the main road. The site is species poor improved pasture. The land is adjoined by existing housing to the north and south of the A170 and is considered that development of the site would have limited effects on landscape character. The site is not part of the relic open field system.

Accessibility

The site has good overall accessibility being within close proximity to a bus stop, primary school and doctors surgery.

Flood Risk

A small part of the south east corner of the site is located within Flood Zone2. Applicants will need to adequately address issues relating to surface water run-off as this may increase flood risk to residential properties to the south of the A170. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

The Highways Authority have confirmed that access from site is acceptable, however the impact on the existing highway network will need to be determined by a traffic assessment. The existing bus stop will need to be relocated down the road and street lighting extended.

Site Allocation

Up to 18 dwellings.

Justification

The site is well contained visually by the surrounding housing developments and strong tree line along the A170. Access to the site will require the removal of one tree however the remaining tree line will be retained. It is considered that new development can be accommodated on this site without detriment the character of the town.

Key Principles for Development

Housing Types and Affordable Housing Provision

Development should comprise a small number of larger 4 and 5 bedroom properties with the majority being a mix of two and three bedroom. All new homes should meet Lifetime Homes standards (or its successor) to ensure that properties can be adapted to meet the changing needs of residents where required.

As set out in Policy H3 up to 40% of all units should be affordable. Affordable housing should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

Design Principles and Infrastructure Requirements

The site is the gateway into the town and the design will need to be of very high quality. The predominant building materials will be natural stone and pantile. The layout of the scheme should be in keeping with the scale and massing of the buildings in the immediate area. New buildings should not be greater than 2 storeys in height in order to complement the existing built form.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

The existing trees along the A170 and hedgerow to the eastern boundary should be retained. Sufficient space should be provided to ensure the trees have space to develop into maturity.

The proposed development should consider the guidelines for new development set out in the North York Moors National Park Design Guides (Part 1: General Principles and Part 3: Trees and Landscape).

The design and layout should encourage people to walk or cycle.

Links should be made to the public right of way which runs to the north of the site. Links to the wider public rights of way network to the south of the site should be enhanced.

The implications for crime should be considered.

Street lighting should be kept to a minimum.

All electricity and telephone connections should be placed underground within the site.

There is scope for a range of renewable energy solutions on the site and the developers are encouraged to integrate these technologies into the site.

Measures to address Sustainable Building and Waste Reduction should be encouraged in the final design.

A Flood Risk Assessment is required.

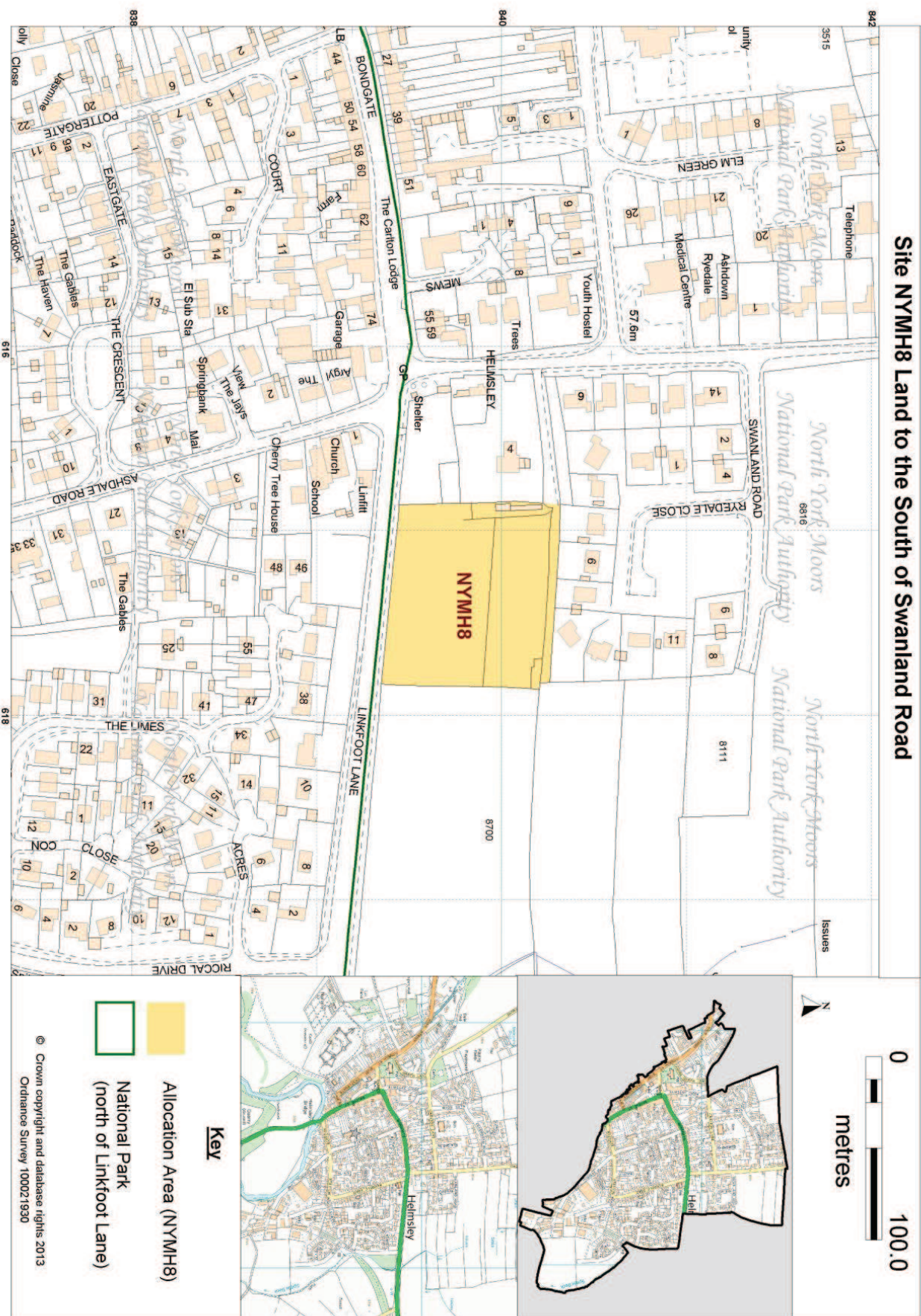
Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

Broadband provision should be incorporated into the scheme design where possible.

Contributions will be sought for the relocation of the bus stop on the A170.

Timescale of Development

2014 to 2022



Development Brief for Site 174 Land South of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area

1.9ha

Potential Residential Yield

50 Residential Units

Owner/Agent

Northminster Properties

Current Use

Agricultural

Site Description

The site lies to the south of the A170 and is accessed via Riccal Drive. The site is located north of the River Rye. The site is relatively flat, currently in agricultural use and is drained by Spittle Beck, which bounds the site to the east. To the west of the site lies a range of commercial and industrial uses located along Sawmill Lane and Station Road. The site is bounded by dense hedgerows on the south and west and by post and wire fencing on the north. There is a public right of way which follows the east bank for Spittle Beck and the former railway line.



Constraints

The site lies 160 metres to the west of three round barrows which are designated as Scheduled Monuments. The NPPF says that harm or loss of designated heritage assets of the highest significance, notably scheduled monuments should be wholly exceptional. Proposals will need to demonstrate that the development of this site would not harm any elements which contribute towards the significance of these assets including their setting.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used a green linkage for many species including

bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray Fish.

Landscape Assessment

Spittle Beck which runs in a deeply incised channel in a north south direction forms the eastern boundary of the site. The beck has heavy scrub and self sown native trees along the eastern bank of the site, which provides visual containment, while to the south it is enclosed by double hedgerows. To the west views to the site are contained by the commercial and industrial development and by existing housing.

Accessibility

The site is within close proximity of the employment opportunities on Sawmill Lane but is the site furthest away from the school and doctors surgery.

Flood Risk

The area immediately adjacent to Spittle Beck is identified as Flood Zone 3 and this area should be avoided. It would be useful to design a buffer zone into the proposal to mitigate against flood risk. As the site is larger than 1 hectare, a Flood Risk Assessment will be required. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that access from the existing highway onto Riccal Drive is acceptable, however impact will need to be determined by a traffic assessment at full planning application stage.

Site Allocation

Allocation of up to 50 residential units.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. Some residential development on the eastern side is considered appropriate to meet Helmsley's identified housing needs.

Key Principles for Development

Housing Types and Affordable Housing Provision

The site is considered suitable for provision of flat development to provide a mix of 1 and 2 bedroom units for both open market and affordable provision. All new homes should meet Lifetime Homes standards (or its successor) to ensure that properties can be adapted to meet the changing needs of residents where required. The site provides a good opportunity to provide a small number of live/work units which can provide an interim zone between the employment and residential uses.

As set out in Policy H3 up to 40% of all units should be affordable. Affordable housing should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

Design Principles and Infrastructure Requirements

Development should be coordinated with adjacent Sites 174, EMP1 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

A footpath currently runs along the full length of the Spittle Beck along its eastern side, which connects to a number of other rights of way along the Rye Valley. There are opportunities to improve the green infrastructure provision and connections with this footpath network.

The implications for crime should be considered.

All existing boundary trees and hedging should be retained.

Ecological assessments will be required and mitigation measures adopted where required.

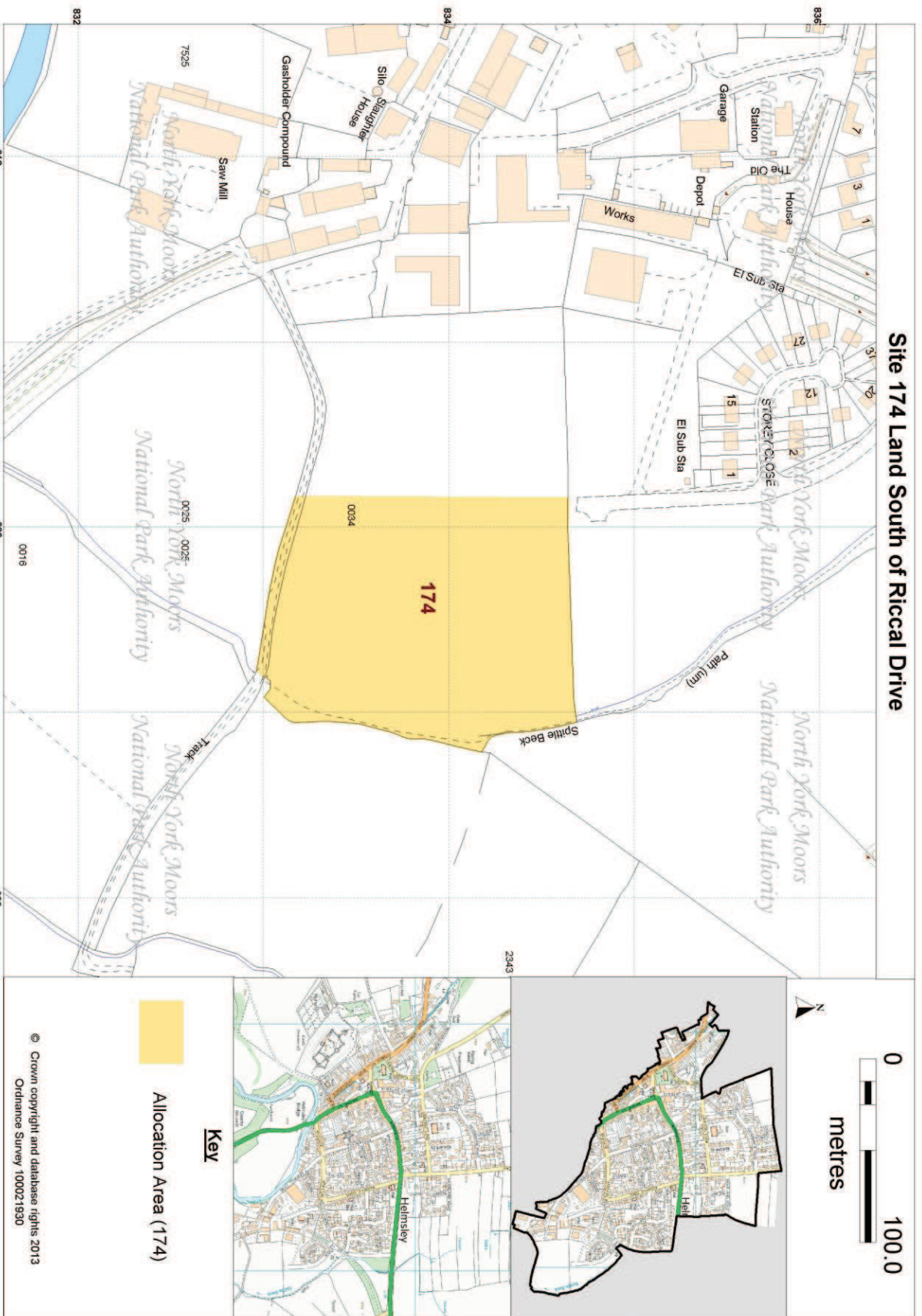
Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

Broadband provision should be incorporated into the scheme design where possible.

A traffic assessment and Travel Plan will be required with any detailed planning application.

Timescale

2014 to 2027



Development Brief for Site 183 Land East of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area

1.6ha

Potential Housing Capacity

45 units

Owner/Agent

Mr Pat Sweeney

Site Description

The site is located between the existing built form of Helmsley and Spittle Beck and sweeps around to the south of the modern housing estate of Storey Close. The land falls gradually in a southerly direction. The site is currently waste ground with ash and sycamore regeneration and tall grass as well as one or two larger ash trees. There is dense tree cover along the line of Spittle Beck. To the south east of the site there are a range of commercial and industrial uses, which are located along Sawmill Lane and Station Road. The site is well contained with limited wider views.



Constraints

The site lies 130 metres to the west of three round barrows which are designated as Scheduled Monuments. The NPPF says that harm or loss of designated heritage assets of the highest significance, notably scheduled monuments should be wholly exceptional. Proposals will need to demonstrate that the development of this site would not harm any elements which contribute towards the significance of these assets including their setting.

The development of the site is currently subject to a restrictive covenant which prevents the development of the site for residential use. Although the site may not come forward within the timescale of the plan it has been included as the principle of development of the site is considered suitable for development. The development of this site alongside site 174 is considered to provide the opportunity for a coordinated approach which will provide the best future in terms of planning for the town. Officers

will continue to work with interested parties regarding the possible options for this site. However it is important to recognise that if this site does not come forward it will not undermine the aims of the Helmsley Plan and it will still be possible to achieve the housing provision targets for the town through the development of the other allocation sites although there will be less flexibility.

Landscape Assessment

Spittle Beck which runs in a deeply incised channel in a north south direction forms the eastern boundary of the site. The beck has a heavy scrub and self sown native trees along the eastern bank of the site. Development of the site would have limited direct impact on the landscape as there are very few features of note. The site is relatively well contained visually with some substantial trees and hedges.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used a green linkage for many species including bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray Fish.

Accessibility

The site has good overall accessibility being close to the shops, a bus stop, primary school and doctors surgery.

Flood Risk

The majority of the site is located within Flood Zone 1 with small areas within flood zone 2 along the roadways and flood zone 3 along Spittle Beck. As the site is larger than 1 hectare, a Flood Risk Assessment will be required. It would be appropriate to include some green infrastructure provision along the line of the Beck to provide a buffer zone so that if the Beck Floods there will be some land for it to flow onto rather than flooding properties. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that the access is acceptable onto Riccal Drive, however a traffic assessment will need to be carried out.

Site Allocation

Allocation of up to 45 residential dwellings.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. The site is located within walking distance of the main employment and commercial areas of the town. The site should be used for housing development.

Key Principles for Development

Housing Types and Affordable Housing Provision

The site is considered suitable for provision of flat development to provide a mix of 1 and 2 bedroom units for both open market and affordable provision. All new homes should meet Lifetime Homes Standards or its successor) to ensure that properties can be adapted to meet the changing needs of residents where required.

As set out in Policy H3 up to 40% of all units should be affordable. Affordable housing should be provided on the basis of 90% social and affordable rent tenures and 10% intermediate.

Design Principles and Infrastructure Requirements

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

Any scheme should knit the site into the fabric of Helmsley, including the adjacent Storey Close development.

Development should be coordinated with adjacent Sites 183, EMP1 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

The site is located close on the other side of the railway embankment from the tumuli which are Scheduled Monuments and therefore consideration should be given to the height of properties to ensure new buildings do not detract from the setting of this important historic asset.

There are opportunities to improve the existing green infrastructure around the site, particularly next to Spittle Beck.

The implications for crime should be considered.

Ecological assessments will be required and mitigation measures adopted where required.

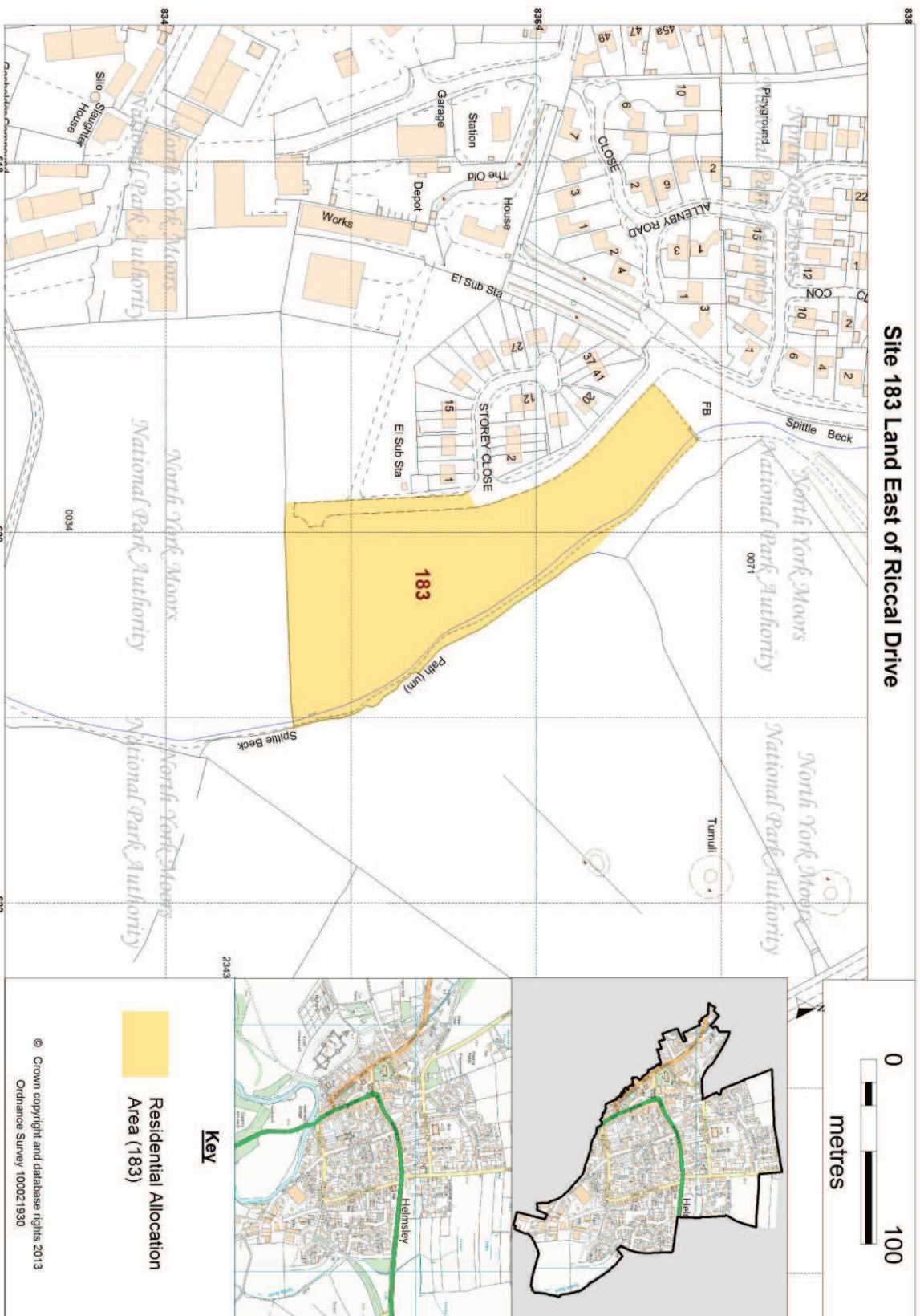
Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

A flood risk assessment is required.

Broadband provisions should be included in the development.

Timescale of Development

20214 to 2027



**Development Brief for Site EMP1 Land South of Storey Close (to be read
alongside Helmsley Plan Policies)**

Site Area

0.6ha

Potential Employment Land Capacity

0.6 ha

Owner/Agent

Mr Pat Sweeney

Site Description

The site is located between the existing built form of Helmsley and Spittle Beck and sweeps around to the south of the modern housing estate of Storey Close. The land falls gradually in a southerly direction. The site is currently waste ground with ash and sycamore regeneration and tall grass as well as one or two larger ash trees. There is dense tree cover along the line of Spittle Beck. To the south east of the site there are a range of commercial and industrial uses, which are located along Sawmill Lane and Station Road. The site is well contained with limited wider views.



Landscape Assessment

Spittle Beck which runs in a deeply incised channel in a north south direction forms the eastern boundary of the site. The beck has a heavy scrub and self sown native trees along the eastern bank of the site. Development of the site would have limited direct impact on the landscape as there are very few features of note. The site is relatively well contained visually with some substantial trees and hedges.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used a green linkage for many species including bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray Fish.

Accessibility

The site has good overall accessibility being close to the shops, a bus stop, primary school and doctors surgery.

Flood Risk

The majority of the site is located within Flood Zone 1 with small areas within flood zone 2 along the roadways and flood zone 3 along Spittle Beck. It would be appropriate to include some green infrastructure provision along the line of the Beck to provide a buffer zone so that if the Beck Floods there will be some land for it to flow onto rather than flooding properties. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that the access is acceptable onto Riccal Drive, however a traffic assessment will need to be carried out.

Site Allocation

Allocation of up to 0.6 hectares of employment land.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. The site is located within walking distance of the main employment and commercial areas of the town. The site is currently allocated for employment land in the Ryedale Local Plan.

Key Principles for Development

Design Principles and Infrastructure Requirements

Development should be coordinated with adjacent Sites 183, 174 and EMP2 to ensure an integrated form of development is achieved, including vehicular and pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

In order to reduce the impact on residential properties a buffer zone should be created between this site EMP1 and 183, which is allocated for residential use. This could take the form of live work units, office use, natural bunding or landscaping and should be agreed by Ryedale District Council's Environmental Health department.

All proposals for the site will need to meet Environment Agency standards in relation to air quality

The site is located close on the other side of the railway embankment from the tumuli which are Scheduled Monuments and therefore consideration should be given to the height of properties to ensure new buildings do not detract from the setting of this important historic asset.

There are opportunities to improve the existing green infrastructure around the site, particularly next to Spittle Beck.

The implications for crime should be considered with the design of green infrastructure provision.

Ecological assessments will be required and mitigation measures adopted where required.

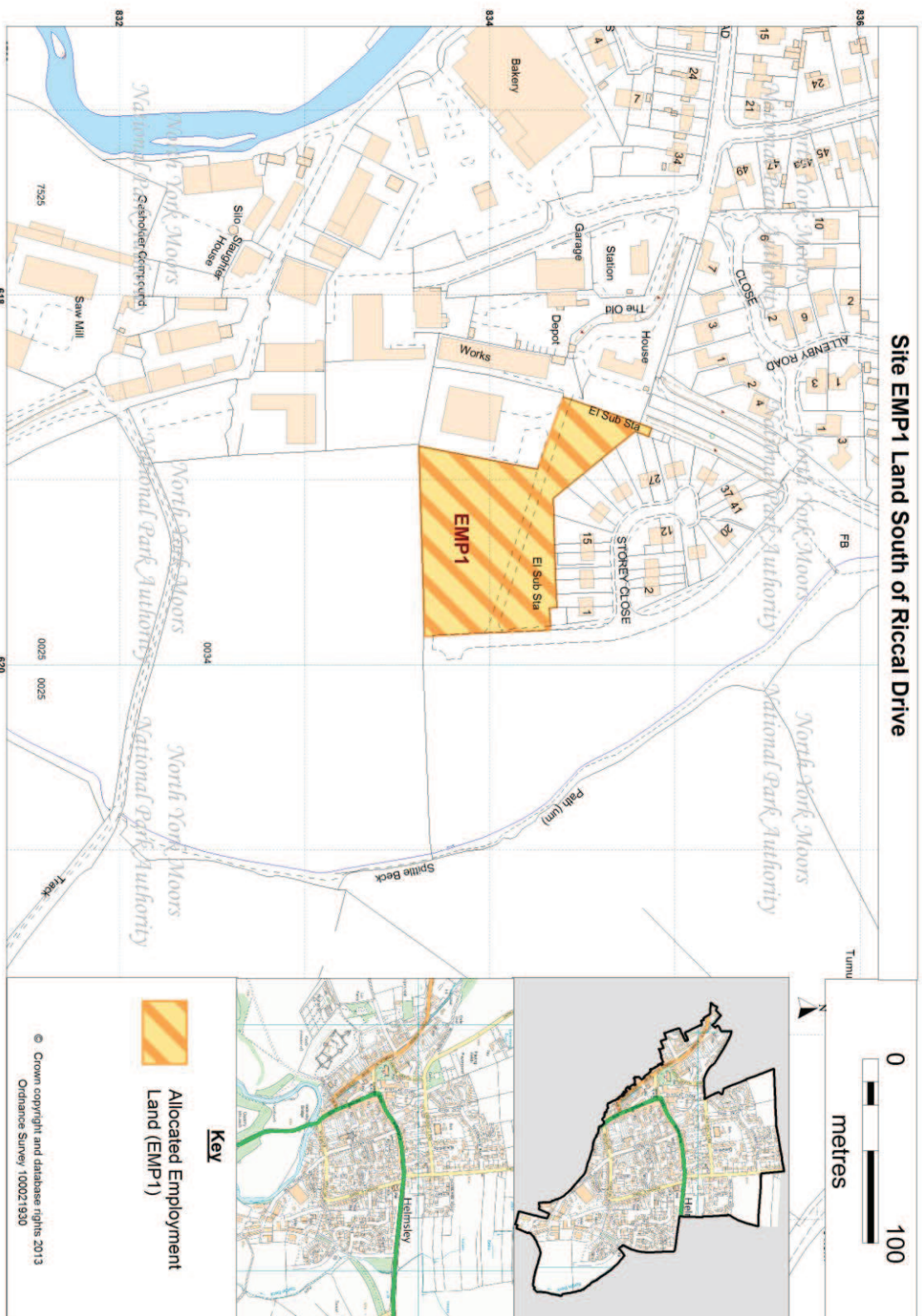
Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

Broadband provisions should be included in the development.

Timescale of Development

2014 to 2027



Development Brief for Site EMP2 Land South of Riccal Drive (to be read alongside Helmsley Plan Policies)

Site Area

1.3ha

Potential Employment Land Capacity

Up to 1.3ha of employment land.

Owner/Agent

Northminster Properties

Current Use

Agricultural

Site Description

The site lies to the south of the A170 and is accessed via Riccal Drive. The site is located north of the River Rye. The site is relatively flat, currently in agricultural use and is drained by Spittle Beck, which bounds the site to the east. To the west of the site lies a range of commercial and industrial uses located along Sawmill Lane and Station Road. The site is bounded by dense hedgerows on the south and west and by post and wire fencing on the north. There is a public right of way which follows the east bank for Spittle Beck and the former railway line.



Constraints

The site lies 106 metres to the west of three round barrows which are designated as Scheduled Monuments. The NPPF says that harm or loss of designated heritage assets of the highest significance, notably scheduled monuments should be wholly exceptional. Proposals will need to demonstrate that the development of this site

would not harm any elements which contribute towards the significance of these assets including their setting.

The site is located adjacent to mixed agricultural land in a varied landscape of large trees, hedgerows, grassland and woodland. Spittle Beck is locally a very valuable feature for wildlife and is likely to be used as a green linkage for many species including bats, badgers and as a potential habitat perhaps for Otter or White Clawed Cray Fish.

Landscape Assessment

Spittle Beck which runs in a deeply incised channel in a north south direction forms the eastern boundary of the site. The beck has heavy scrub and self sown native trees along the eastern bank of the site, which provides visual containment, while to the south it is enclosed by double hedgerows. To the west views to the site are contained by the commercial and industrial development and by existing housing.

Accessibility

The site is within close proximity of the employment opportunities on Sawmill Lane but is the site furthest away from the school and doctors surgery.

Flood Risk

The area immediately adjacent to Spittle Beck is identified as Flood Zone 3 and this area should be avoided. It would be useful to design a buffer zone into the proposal to mitigate against flood risk. As the site is larger than 1 hectare, a Flood Risk Assessment will be required. Where feasible developers should consider the use of Sustainable Drainage Systems in order to mitigate against the threat to species in the River Derwent as a result of increased water run-off.

Highway Assessment

Highways have confirmed that access from the existing highway onto Riccal Drive is acceptable, however impact will need to be determined by a traffic assessment at full planning application stage.

Site Allocation

Allocation of up to 1.3ha of employment land.

Justification

Development of the site will have limited impact on the surrounding area as the site is well contained by existing screening. Some residential development on the eastern side is considered appropriate to meet Helmsley's identified housing needs.

Key Principles for Development

Design Principles and Infrastructure Requirements

Contributions will be sought for the necessary Improvements to Community Facilities and Physical/Environmental Infrastructure as set out in Table 2 of this Plan. Development should be coordinated with adjacent Sites 174, 183 and EMP1 to ensure an integrated form of development is achieved, including vehicular and

pedestrian accesses. Density and layout of development should take its cue from nearby properties such as Station Road. Previous work undertaken for the Helmsley Town Team by Bauman Lyons Architects, provides useful analysis and consideration of design principles in developing this site.

In order to reduce the impact on residential properties a buffer zone should be created between this site EMP2 and 174, which is allocated for residential use. This could take the form of live work units, office use or landscaping and should be agreed by Ryedale District Council's Environmental Health department.

All proposals for the site will need to meet Environment Agency standards in relation to air quality.

A footpath currently runs along the full length of the Spittle Beck along its eastern side, which connects to a number of other rights of way along the Rye Valley. There are opportunities to improve the green infrastructure provision and connections with this footpath network.

The implications for crime should be considered with the design of green infrastructure provision.

All existing boundary trees and hedging should be retained.

Ecological assessments will be required and mitigation measures adopted where required.

Developers are required to consider the use of Sustainable Drainage Systems in order to mitigate the effects of floods to people, property and species in the River Derwent catchment.

A traffic assessment and Travel Plan will be required with any detailed planning application.

Broadband provisions should be included in the development.

Timescale

2014 to 2027

Appendix 1

The following table shows relevant standards for employment and residential uses. It should be noted that over the lifespan of the Helmsley Plan these standards may be reassessed by North Yorkshire County Council

Land Use	Use Class	Vehicular Requirements	
Office	B1/A2	1 space/40m2 GFA	
Manufacturing	B2 to B7	1 space/75m2 GFA	
Warehousing	B8	Staff/visitors – 1 space/300m2 GFA Plus for office areas – 1 space/40m2 GFA	
Garages/Car Repair Workshops	None	Staff – 1 space/. Staff Car repairing /servicing – 4 spaces/repair bay Sales – 1 space/4 cars displayed Parts – 1 space/25m2 GFA Paint/Body Shop – 1 space/20m2 GFA	
Motorist centres (tyre/exhaust fitting etc)	None	Staff – 1 space/4 staff Users – 2 spaces/repair bay	
Residential dwelling 4 or more bedrooms	C3	2 spaces	1 designated visitor parking space per 5 dwellings for shared access roads or estate roads with a carriageway width of less than 5.5 metres. These must be contiguous with the highway and must not be conveyed to an individual dwelling.
Residential dwelling 3 bedrooms	C3	2 spaces	
Residential dwelling 2 bedrooms	C3	1 space	
Residential dwelling 1 bedroom	C3	1 space (for estates with more than 50 dwellings an average 1.5 spaces per dwelling should be provided)	

Appendix 2

Identification and Assessment Of Proposed Development Sites

The town has limited development opportunities lying partly within the National Park and is further constrained by the Duncombe Park Estate, (a National Nature Reserve and Historic Park and Garden, the castle (a Scheduled Ancient Monument) and the flood plain of the River Rye. However a total of 11 sites were submitted to Ryedale District Council as part of their call for development sites in 2009.

In Autumn 2011 Ryedale District Council consulted widely on a draft Site Selection Methodology. The final version of the methodology has been used to assess the sites which have been submitted by developers in order to select the most appropriate locations for further development in the Town. The process for site selection involved an initial sift of the proposal sites against the questions set out below;

- Is the site above 0.3 ha?
- Conformity with Core Strategies
- Does the site cause harm to national/international nature conservation sites?
- Is the site within Flood Zones 3b

Sites which failed to meet these criteria were not progressed any further. The second stage of site selection methodology assesses sites under a number of criteria which fall under the headings:-

- Accessibility
- Retail
- Flood Risk
- Highway Assessment
- Biodiversity and Geodiversity
- Special Qualities, Landscape (including statutory designation) and Setting
- Culture and Heritage
- Low Carbon Development and Renewable Energy
- Sustainable Building and Waste Reduction
- Efficient Use of Land
- Natural Resources
- Amenity
- Flood Risk
- People
- Meeting Needs
- Community Facilities, Utilities and Infrastructure
- Strong Economy
- Deliverability/Developability

All of the sites submitted to the Local Planning Authorities have been assessed through the site selection process and this has informed the outcome of the allocations set out in this document. A critical element of the selection of sites for allocation is having the confidence that it will be delivered. There is no logic to allocating a site if the landowner has no intention of making the site available or there are physical or environmental constraints which prevent the site from being successfully developed. Although there were a total of 11 sites submitted by developers the Helmsley Plan selection process has resulted in the proposed allocation of a total of 7 sites which are considered both suitable for development,

deliverable and with the capacity to meet the assessed housing and employment requirements for the town. Some of the sites were dismissed as they were smaller than 0.3ha in size, once site has subsequently been built on and one site was considered to cause harm to the setting of or the National Park itself and Conservation Area and is considered as an important open view. On large site originally put forward by developers has subsequently been reduced and subdivided following negotiations with Officers.

Submitted sites not put forward for Allocation

Larger area of Site NYMH1

Owner/Agent

Wharfedale Homes

Current Use

Grazing Land

Reasons for not allocating the site

This site is located directly to the north of an area of site NYMH1 which is being put forward as an allocation for residential development.

Ordnance Survey maps and aerial photographs suggest that the site comprises former medieval strip patterns. These are the relics of the 'open field system' under which each manor or village had four very large fields farmed by individual families. This appears to be the only surviving area of medieval strip fields around Helmsley. The remaining medieval field patterns should be retained as they form in an important feature of the existing landscape character and have considerable historic interest.

The allocation of the area to the south of this site will have less impact on long distance views of the town as it will be contained within the existing pattern of development.

Site NYMH2 – Land North of Beckdale Road

Owner/Agent

Wharfedale Homes

Current Use

Agricultural

Reasons for not allocating the site

The site lies to the North West of Helmsley and is triangular in shape. The site is bounded by Beckdale Road and Baxton's Sprunt and falls gently from north-west to south-east. To the north of the site lies playing fields and to the east the cemetery and the area as a whole provides an area which connects Helmsley to the open countryside to the north. There are no pronounced landforms, trees or landscape features within the site itself.

There are clear views from the site from the National Park to towards the Helmsley Conservation Area. Development of this site would significantly affect the visual settings of All Saints Church and Helmsley Castle as new development would occupy the foreground of views and interrupt the wooded character of the settlement edge. Development of the site would completely change the existing open landscape character of this part of the town and would interrupt views to the prominent ridge above the site, impacting the setting of the National Park.

Any development of this site would also be visible from the Ionic Temple at Duncombe Park, which has been identified as an important view in the Conservation Area appraisal.

Due to the negative impact development of the site would have on the setting of the National Park, the Conservation Area and important historic assets including All Saints Church and Helmsley Castle this site is not considered suitable for allocation.

Remaining Sites

All the sites listed below have been dismissed as they fall below the threshold of 0.3 ha and therefore did not get through the first sift of the Site Selection Methodology. Proposals for the development of these sites will be considered under the windfall policy.

Site NYM4 – Land West of 4 Buckingham Square

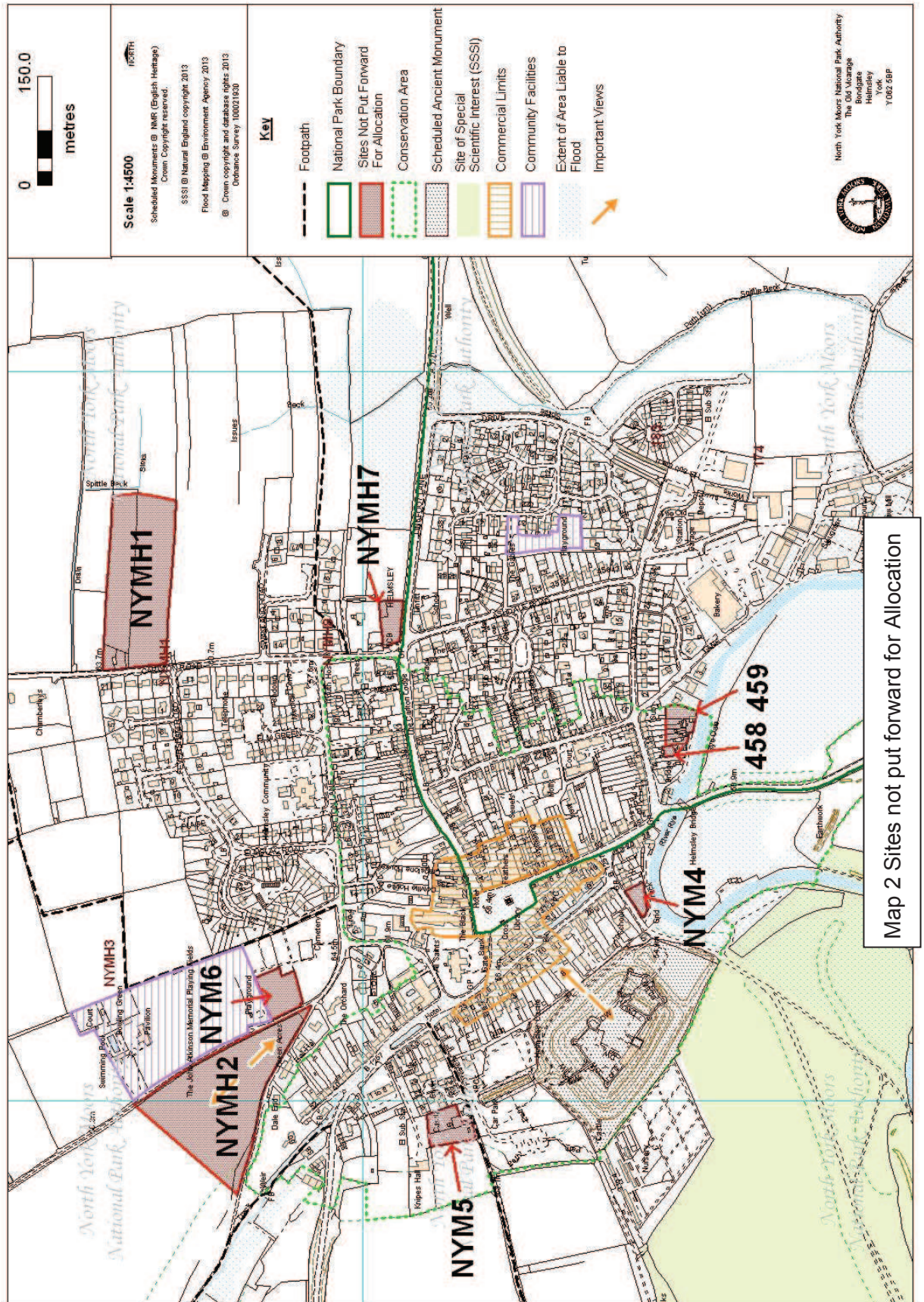
Site NYM5 – Land West of Castle Court

Site NYM6 – Land North of the Cemetery

Site NYM7 – Land North of Linkfoot Lane and East of Carlton Road

Site 458 – Land South of 9 – 10 Ryegate

Site 459 – Land South of 12 – 22 Ryegate



Appendix 3 - Glossary

Affordable Housing

Affordable housing is defined in the NPPF as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households.

Choice Based Lettings

This is the new way of looking for council and Registered Provider homes and other types of housing. Instead of Local Authorities and Registered Providers deciding which housing to offer, tenants choose which properties interest them. In North Yorkshire the scheme is called North Yorkshire Home Choice.

Community Infrastructure Levy

A levy which allows local authorities to raise funds from owners or developers of land undertaking new building projects in their area to provide new infrastructure required as a result of these developments.

Deliverable sites

To be considered deliverable sites should be available now, offer a suitable location for development now and be achievable with realistic prospect that housing will be delivered on the site within five years and in particular that development of the sites is viable.

Developable sites

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

Green Infrastructure

A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Previously Developed Land

Land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Registered Provider

Registered Providers in England are independent societies, bodies of trustees or companies established for the purpose of providing low-cost social housing for people in housing need on a non-profit-making basis and are often referred to as Housing Associations. Registered Providers are regulated by the Homes and Communities Agency.

Renewable and low carbon energy

Includes energy for heating, cooling and generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Transfer/Acquisition Price

Maximum price that will be paid by a Registered Provider to a developer for various standard house types.

Windfall sites

Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously developed sites that have unexpectedly become available.

Agenda Item 7

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 17/12/13

8

Application No: 13/01088/MFUL

Application Site: Land At Station Road Nawton Helmsley

Proposal: Erection of 2no. semi-detached three-bedroom dwellings, terrace of 3no. two-bedroom dwellings, 2no. one-bedroom flats, 1no. four-bedroom dwelling and 2no. semi-detached two-bedroom bungalows with parking spaces, amenity areas and vehicular access road

9

Application No: 13/01135/MFUL

Application Site: Willerby Wold Pig Farm Staxton Scarborough North Yorkshire YO12 4SN

Proposal: Erection of an agricultural grain store

10

Application No: 13/01164/MFUL

Application Site: Willow Garth Farm Barugh Lane Great Barugh Malton North Yorkshire YO17 6UZ

Proposal: Change of use of land to allow formation of 30 no. additional touring caravan pitches to existing site

11

Application No: 13/00919/FUL

Application Site: Plough Inn Main Street Wombledon Kirkbymoorside YO62 7RW

Proposal: Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application)

12

Application No: 13/00920/LBC

Application Site: Plough Inn Main Street Wombledon Kirkbymoorside YO62 7RW

Proposal: Installation of 2no. kitchen extract ventilation system cowls on south facing roof slope, addition of coping stones to front curtilage wall and laying of York stone paving to front seating area

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 17/12/13

13

Application No: 13/01099/OUT

Application Site: Land Adj To Dhekelia Moor Lane Broughton Malton North Yorkshire

Proposal: Erection of 1 no. dwelling (site area 0.0282 ha)

14

Application No: 13/01235/FUL

Application Site: Plumwood Main Street Harome York YO62 5JF

Proposal: Change of use and alteration of stable block to form a one bedroom holiday cottage, to include erection of a single storey extension to south elevation and installation of 3 no. rooflights to north elevation

15

Application No: 13/01016/FUL

Application Site: Land At Derwent House Old Malton Road Malton North Yorkshire

Proposal: Erection of a three bedroom dwelling with attached double garage with formation of vehicular access and blocking off of existing vehicular access by erection of a section of boundary retaining wall

RYEDALE DISTRICT COUNCIL PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 8
Application No: 13/01088/MFUL
Parish: Nawton Parish Council
Appn. Type: Full Application Major
Applicant: Yorkshire Housing Ltd (Mrs L Fargher)
Proposal: Erection of 2no. semi-detached three-bedroom dwellings, terrace of 3no. two-bedroom dwellings, 2no. one-bedroom flats, 1no. four-bedroom dwelling and 2no. semi-detached two-bedroom bungalows with parking spaces, amenity areas and vehicular access road
Location: Land At Station Road Nawton Helmsley
Registration Date: 10 October 2013
Case Officer: Shaun Robson
8/13 Week Expiry Date: 9 January 2014
Ext: 319

CONSULTATIONS:

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

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

SITE:

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

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

PROPOSAL:

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

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

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

HISTORY:

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

POLICY:

National Policy Guidance

National Planning Policy Framework - March 2012

Achieving Sustainable Development

Presumption in favour of Sustainable Development

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

Core Principles

- Paragraph 17

Delivering a wide choice of High Quality Homes

- Paragraphs 47, 49, 50, 55

Requiring Good Design

- Paragraph 57

Emerging Ryedale Local Plan Strategy

Policy SP1 – General Location of Development and Settlement Hierarchy

Policy SP2 – Delivery and Distribution of New Housing

Policy SP3 – Affordable Housing

Policy SP4 – Type and Mix of New Housing

Policy SP16 – Design

Policy SP20 – Generic Development Management Issues

Other Documents

The Council's 2011 Strategic Housing Market Assessment

PUBLICITY:

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

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

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

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

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

APPRAISAL:

The main considerations in respect of this application are:-

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

Principle of Residential Development

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

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

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

Rural Exception Sites

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

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

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

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

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

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

The need identified consists of the following: -

2 x 1 bed apartments for rent;

3 x 2 bed houses for rent;

2 x 3 bed houses for rent;

1 x 4 bed house for rent;

2 x 1/2 bed bungalows for rent.

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

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

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

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

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

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

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

Highway Safety

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

Drainage

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

Flood Risk

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

Conclusion

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

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

RECOMMENDATION: Approval subject to S106 Agreement

- 1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

- 3 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

- 4 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local

Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

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

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality as required by Policy SP20 of the Ryedale Plan – Local Plan Strategy and the requirements of the National Planning Policy Framework.

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

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

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

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

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

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

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

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

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

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

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

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

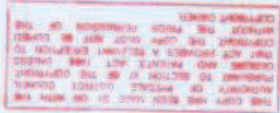
- 11 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

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

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

Background Papers:

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



13/10/2013
RYEDALE DM
10 OCT 2013
DEVELOPMENT
MANAGEMENT

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Proposed development at Station Road,

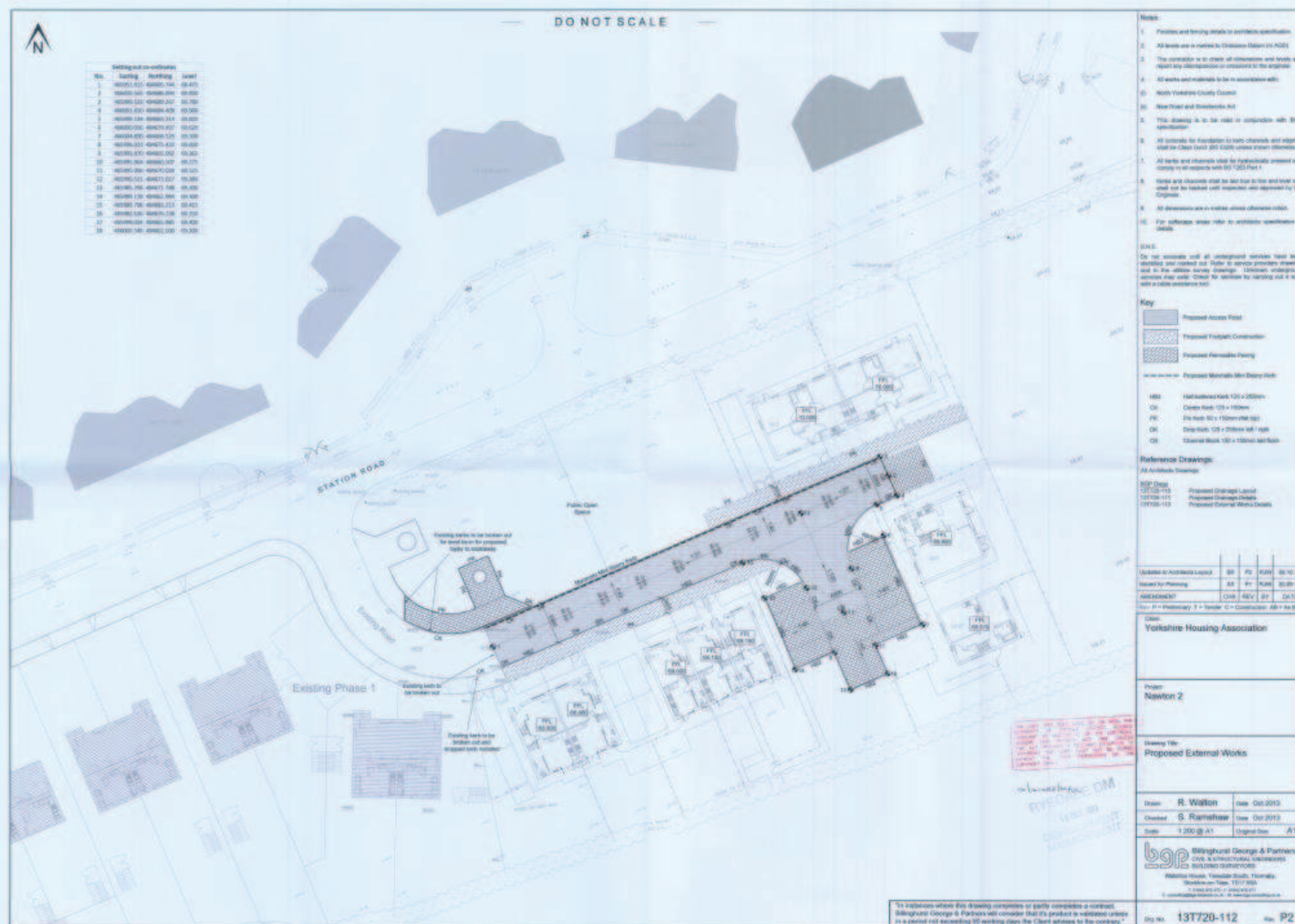
Newton - Location Plan

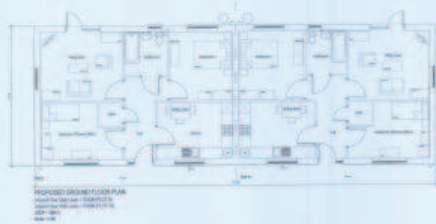
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MANAGER

NO.	REVISION	DATE	BY	CHKD
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bowmanrileyarchitects

Design team: 0161 275 1111
0161 275 1111
0161 275 1111

YORKSHIRE HOUSING

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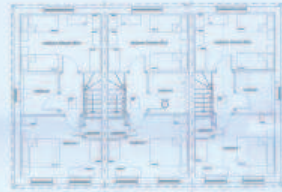
Housing development at
Station Road, Newton, Bradford
North Yorkshire

Floor plans and elevations
4b 7p - 1b 2p flat - 2b 3p bungalow
Plans 6/7/8 and 9/10

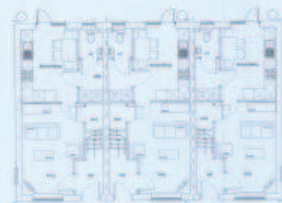
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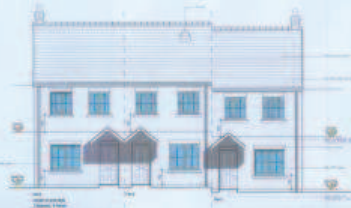
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Received 10 October 2005; accepted 12 December 2005
Published online 12 January 2006 in Wiley InterScience (www.interscience.wiley.com). DOI: 10.1002/anie.200526305



Describe the staff and operations that receive the principal statements and provide financial and statistical information on all units. And safety, security, quality, and compliance information that may be necessary including the volume of:

- Grouped/professionalized assessments
- Affected individuals
- Physical facilities
- This incident/other alternatives

The following table lists the findings, results and safety risks resulting from this data and system information during the design process:

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Housing development at
Station Road, Newell, Beadlam
North Yorkshire

Floor plans and elevations
2b 4g - Plots 3/4/5

project number	drawing number	revision
7041	202	8



13/10/2013

RYEDALE DM

10 OCT 2013

DEVELOPMENT
MANAGEMENT

design and access statement

Proposed Housing Development,
Station Road, Nawton, Beadlam,
North Yorkshire

for Yorkshire Housing
September 2013

contents

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- site & context
- proposals
 - Layout
 - Amount
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 - Landscaping
- access and transport
- environment & sustainability
- conclusions

introduction

introduction

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This Design and Access Statement forms part of the planning application for 10 new dwellings at Station Road, Nawton. It will form Phase 2 of the recent development to the west of the site constructed in 2010.

The scheme is for affordable rent with a mix of accommodation incorporating 3No terraced houses, 2No semi-detached dwelling, 1No detached dwelling and 2No bungalows, in order to meet the demand for affordable homes within the Ryedale Parish.

The proposed site is classed as an exception site within Ryedale District Council.

Phase 1 & Phase 2 Station Road



Phase 1 development comprised of a range of 10No new dwellings, comprising of 6No semi-detached three bedroom dwellings, 1No two bedroom bungalow and a terrace of 3No two bedroom dwellings, all with associated parking, access and public open space.



Due to the success of the Phase 1 development since it was completed in 2010. Yorkshire Housing, with support from Ryedale Council, are proposing to extend this scheme by another 10No new dwellings in order to satisfy the demand for affordable units with the area.

Regular meetings and contact with Ryedale District Council has established this need for affordable housings within the area, this has led to an interesting scheme with a variety of housing types and sizes.

site & context

introduction

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The location of the sites for Phase 1 and Phase 2 off Station Road, Nawton, North Yorkshire

Nawton is a village and civil parish in the Ryedale district of North Yorkshire, on the edge of the North Yorks Moors National Park, with an approximate population of 570 people (2011 census)

Situated off the A170 road, adjacent to Beadlam and three miles west of Kirkbymoorside. Within a half hour drive from Thirsk and 20 minutes' drive from Pickering. In an ideal location close to the town centre and local transport connections.

The site is currently vacant land adjacent to Phase 1 of the development, to the south-west, and with existing dwellings to the North of the site.

site & context

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site & context



proposed site : currently not used



Station Road : phase 1 to the south-west of the proposed site.



Station Road : existing houses to the North of the site

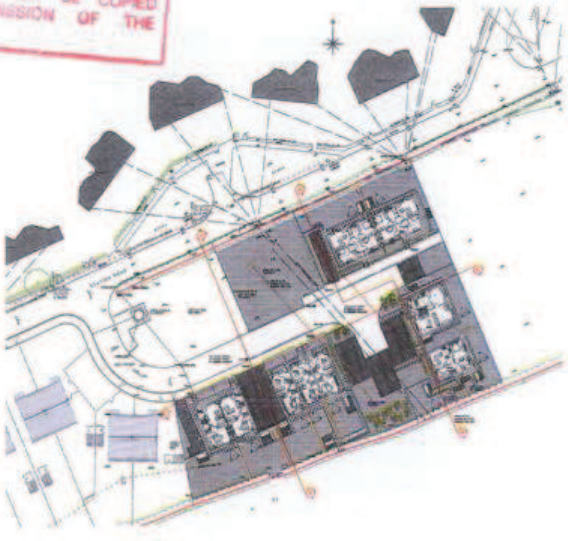
site & context proposed site plan, with the proposed dwellings facing the existing houses to the North of the site with the Phase 2 dwellings to the west of the site.

site & context

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previous scheme completed in 2010



proposed site plan

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character

The overall theme of the proposals is considered to be one of simplicity. The dwellings opposite the site are simple in form and detailing and have been taken as a point of reference for the proposed scheme.

There are examples of estate type dwellings in the vicinity, at the junction of Station Road and the A170. These tend to be cottage like in appearance and are considered locally distinctive - and have also been used as a reference point for the proposed scheme.

layout

The layout of the site comprises of 10 No new dwellings, which continue on from the Phase 1 development of the scheme complete in 2010. To the north-west of the site has been designated as public open space, creating a 'village green' for both the new and existing residents.

The public open space to be included expands upon the existing wide verge and open space created for Phase 1 Station Road, in order to create a 'green' with dwellings gathered around it. This intends to mirror the character and layout of the existing dwellings on the opposite side of Station Road.

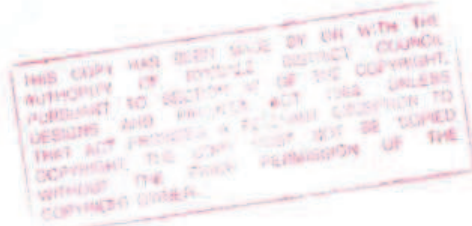
The proposal uses the existing road layout of Station Road, continuing the existing road set out for Phase 1 of the scheme. All new dwellings face directly onto either a street frontage or are clustered around the central green area.

The aim of the proposals is to echo the grain of the existing buildings to the other side of Station Road. The new development is clear and unambiguous in its layout, following on from the distinct hierarchy of the established road layout.

The site road layout has been organised in order to comply with the engineers details for an adoptable turning head.

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proposed front elevations



Unit 1 & 2: 3 bed / 5 person - 89m²

Unit 3,4,5: 2 bed / 4 person - 76m²



Unit 6/7: 1 bed / 2 person
46m² / 50m²



Unit 8: 5 bed / 7 person - 126m²



Unit 9 & 10: 2 bed / 3 person - 68m²

appearance

The architecture is intended to be relatively simple, yet well-mannered and set within a well planted setting. The majority of the existing dwellings opposite have cottage like appearance with mellow brick walls under a clay pantiled roof, between 35° and 40°, central and/ or end stacks, pointed verges, well positioned windows with simple, traditional form of opening, set in deep reveals, with stone lintels. The proposal will use a similar palette of materials and detailing and are intended to sit harmoniously with the existing and Phase 1 of the development.

The proposal responds to the local vernacular in scale, proportion and style. With the use of brick, timber painted windows and natural clay pantiles. The overall density of the scheme responds to the rural nature of the site and the aspect from existing housing on Station Road.

amount

accommodation schedule

Units 1-2	semi-detached houses	3 bed / 5 person	89m ²
Units 3-5	terraced houses	2 bed / 4 person	76m ²
Units 6-7	apartments	1 bed / 2 person	46m ² (6) / 50m ² (
Unit 8	detached house	4 bed / 7 person	126m ²
Units 9-10	bungalows	2 bed / 3 person	68m ²

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scale

The proposed dwellings remain at a modest scale, no larger than two storeys in order to reflect the surrounding houses and recent development to the west of the site.

The scheme is for a mix of accommodation incorporating 10 dwellings as well as a two storey bungalows, this will exhibit a variety of scale and proportion within the proposal in a similar style to Phase 1.

The total site area = 0.33Ha

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proposed site section A-A



proposed site section B-B



site reference plan

proposals

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landscaping

The existing site is located on the edge of the village next to open fields. The density of the proposed scheme respects the rural nature of its surroundings. The hedge to the northern and southern boundaries is to be retained. The scheme will be supplemented by high levels of hard and soft landscaping to benefit the setting of the individual buildings creating a positive contribution to the local environment.

A specialist ecologist is to be employed to design the landscaping in an appropriate manner to suit the site and respond to the current local landscape and nature in the area.

All planting will minimise the effect of the new development and to provided privacy for the residents. A mix of hard and soft landscaping will be provided for the individual rear gardens for each property, soft landscaping will be provided to the front gardens of each property.

The current boundary hedges to the north and south of the site will remain undisturbed by the development as much as possible.

The proposed public space will extend the existing public space - created for Phase 1, this will become central to the knitting together of the existing residents around Station Road and new developments.

Separate bins stores and garden sheds have been provided for each dwelling within the curtilage.

access & transport

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The design of all the dwellings in this application has been informed by a range of accessibility requirements and criteria including *Part M* of the building Regulations, the essential standards laid out in the national Housing Federations '*Standards & Quality in Developments*' as well as the Housing Corporations '*Housing Quality Indicators version 4*'

The development is conveniently located within a short distance of the centre of Newton.

Two parking bays are provided for each dwelling, with two visitor parking spaces provided for the development. Parking is within the curtilage of each dwelling, created in small bays, sited immediately in front of or adjacent to each dwelling. These are well supervised from each dwelling, and will be landscaped to provide visual amenity to the streetscape. This provides the opportunity allow the area to be pedestrian centred, rather than car centred - in a continuing manner to Phase 1 of the development.

The design and orientation of the dwellings is the main consideration for the overall layout of the scheme. The road being designed as purely a means of access to the dwellings. It is also intended that the impact of the road will be softened by enhanced hard and soft landscaping in order to create a more pedestrian/ cycle friendly environment.

environment & sustainability

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The proposal is being funded by the Housing Corporation and as such will need to meet 'CODE 3' of the Code for Sustainable Homes. The key areas of this standards are as follows:

i) Energy / CO2

The 'Code 3' level requires a 25% improvements over 'Target Emission Rate' (TER) as determined by the 2006 Building Regulation Standards. This necessitates sustainable energy creation.

ii) Water

The 'Code 3' level requires an internal portable water consumption of a maximum of 105 litres per person per day.

iii) Materials

This part of the code measures the environment impact of materials and building elements against the 'BRE (Building Research Establishment) Green Guide 2006' and rewards responsible sourcing.

iv) Surface Water Run-off

The proposed scheme ensures that the peak rate of run-off over the development lifetime, allowing for climate change, will be no greater for the developed site than it was for the pre-development site. This should comply with the 1 year and 100 year return period events.

v) Waste

This category assesses the GWP (Global Warming Potential) of the proposed insulant as well as Nitrate Oxide (NOx) emissions of the space heating and hot water systems.

vi) Health and well-being

This category assesses daylight, sound insulation and private space in order to provided a pleasant internal environment.

vii) Management

This part of the code promotes the inclusion of a 'Home User Guide', the 'Considerate Constructors Scheme' assessment of construction site impacts and 'Secure by Design' criteria.

ix) Ecology

The ecological value of the site is assessment along with any proposed ecological enhancement. Credit is awarded for protections of ecological features and any change in the ecological value of the site. The building footprint is also assessment in order to determine impact.

crime prevention

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The design of all the dwellings in this application comply with the Secured by Design standards in order to meet 'Code 3' of the Sustainable Homes Standards.

The principles of Secured by Design have been proven to achieve a reduction of crime risk by 25%, by combining minimum standards of physical security and well-tested principles of natural surveillance and defensible space.

Areas of design that are enhanced in order to achieve Secured by Design Certification need to consider the seven attributes of sustainable communities, there need to be incorporated:

- Access & movement - *places with well defined and well used routes with spaces and entrances that provide for convenient movement without compromising security.*
- Structure - *places that are structured so that different users do not cause conflict.*
- Surveillance - *places where all publicly accessible spaces are overlooked*
- Ownership - *places that promote a sense of ownership, respect and territorial responsibility and community*
- Physical protection - *places that include necessary, well-designed security features*
- Activity - *places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times*
- Management and maintenance - *places that are designed with management and maintenance in mind, to discourage crime in the present and the future.*

conclusion

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The site is classified as an exception site by Ryedale district Council. All normal planning and highways guidelines have been followed in the generation of the proposal. A Ryedale Planning Officer and Highways Engineer have been consulted during the process and their guidelines followed.

The proposal is a small-scale development designed to 'Code Level 3' of the 'Code for Sustainable homes'. The main focus of this Code are as follows:

- 25% better than Building Regulations.
- Standard of 105 litres of water usage per day.
- Energy efficient heating - solar thermal.
- Increased insulation.
- Good quality windows and doors.
- Good air tightness with fresh air supply.
- Site wider management of surface water run-off.
- Responsible specification of materials.

All of these above elements facilitate a sustainable dwelling that is very efficient and cost effective to run.

The proposal responds to the local vernacular in scale and proportion using brick, timber painted windows and natural clay pan tiles. The overall density is at the lower end of the guidelines to respond to the rural nature of the site and the aspect from the existing housing on Station Road.

The proposed access roads are to be to an adoptable standard where necessary and have been designed with the future of the site in mind. the widths of these roads and the provision of 2m pavements responds to potential proposed need.



PHASE 2
PROPOSED HOUSING DEVELOPMENT
STATION ROAD, NAWTON
13/01088/mful

Erection of 10 affordable dwellings
for
Yorkshire Housing

PLANNING SUPPORT STATEMENT

October 2013

1319_statement.v2

Jane Parkin Town Planning Consultant BA MA MRTPI
32 Main Street Bishopthorpe York YO23 2RB Tel. 01904 701919

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1. Introduction
2. Planning Policy Context
3. Key Issues
4. Conclusion

1.0 INTRODUCTION

This Planning Support Statement is to be read in association with the planning application 13/01088/MFUL submitted by Bowman Riley Architects on behalf of Yorkshire Housing. Issues such as Design, Access, Transport, Environment and Sustainability are covered in the Design & Access Statement by Bowman Riley.

- 1.1 The application represents the second phase of development of the larger site at Station Road. Phase 1 (08/011578/MFUL) comprised 10 affordable dwellings, also for Yorkshire Housing, with associated parking, access and public open space; construction was completed in 2010.
- 1.2 This second phase is for an extension to the access road, a further 10 dwellings (all for affordable rent) and additional public open space on this 0.33 hectare site.

Plot Nos.	Type	Building Height	Bedrooms	Floor Area
1/2	2 no. Semi-detached houses	2 storey	3	90 sq.m.
3/4/5	3 no. Terrace houses	2 storey	2	76 sq.m.
6/7	2 no. Flats	2 storey	1	50 sq.m.
8	1 no. Detached house	2 storey	4	125 sq.m.
9/10	2 no. Semi-detached bungalows	Single storey	2	68 sq.m.

- 1.3 The site is outside the Development Limit for Beadlam and Nawton as shown on Inset Plan 13 of the Ryedale Local Plan of 2002. While the Ryedale Local Plan has recently been largely superseded by the Ryedale Plan - Local Plan Strategy (LPS), the Inset Plans showing the development limits remain valid until new Proposal Maps are adopted.

2.0 PLANNING POLICY CONTEXT

- 2.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 National Planning Policy Framework (NPPF: March 2012)

The NPPF sets out the government's planning policies for England and how these are to be applied. The NPPF is a material consideration in planning decisions, and at its heart is the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent, or relevant policies are out of date, granting permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, or that specific policies in the NPPF indicate development should be restricted.

- 2.3 The Core planning principles of the NPPF include:

- Finding ways to enhance and improve the places in which people live their lives;

- Securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
 - Actively managing 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.
- 2.4 Chapter 6 of the NPPF relates to the delivery of a wide choice of high quality homes and advises that LPAs should identify and update annually a supply of specific sites sufficient to provide five years worth of housing. Para. 54 states *"LPAs should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate"*.
- 2.5 Chapter 7 emphasises the importance of good design, which is *"a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people"*. Planning policies should aim to ensure that developments establish a strong sense of place, optimise the potential of the site to accommodate development and sustain appropriate uses. In addition, proposals should respond to local character, reflect the identity of local surroundings and materials. They should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Proposals should be visually attractive as a result of good architecture and appropriate landscaping.

2.6 RYEDALE PLANNING POLICY CONTEXT

Ryedale has very recently adopted the Ryedale Plan - Local Plan Strategy (LPS) Development Plan Document, which therefore now has statutory status and largely replaces the 2002 Local Plan. The Introduction states that *"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"*.

- 2.7 The Inset Plans of the previous Ryedale Local Plan (2002) remain valid until new Proposals Maps are adopted. Inset 13 shows the application site is outside, but adjacent to the Development Limit of Nawton/Beadlam, with existing housing to the north and west. Nawton/Beadlam is considered to be a "Service Village" in the LPS, which is the third level in the District's Settlement Hierarchy.

- 2.8 SP2 Delivery and Distribution of new housing:

This policy states that in Service Villages, the development of Rural Exception Sites for 100% affordable housing will be supported outside of and on the edge of Development limits in line with Policy SP3.

- 2.9 SP3 Affordable Housing

There is an immediate need to increase the supply of affordable housing (LPS Para. 2.27). Affordable housing need exists across Ryedale, as evidenced by the 2011 North Yorkshire Strategic Housing Market Assessment (NY SHMA) which indicates a net annual need in Helmsley Ward of 18, with a current need of 43. Tenure requirement is shown as 90% rented, and 10% intermediate, with a range of house sizes. The LPS puts in place a range of policy mechanisms to seek to meet full affordable housing needs, and one established approach is through the release of Rural Exception Sites.

- 2.10 SP3 continues this approach, and states that where local need exists, the LPA will seek the provision of new affordable homes by supporting in principle the release of "Rural Exception Sites". The size, type and tenure of affordable units will be expected to reflect the affordable housing needs in the locality.
- 2.11 In 2012 a Parish Housing Needs Survey Report was compiled for Nawton and Beadlam. 10 households were identified as being in need of affordable housing, with almost all indicating they require rented accommodation. Of these, 3 require a 3-bed unit, 3 require 2-beds, 1 requires a 4-bed house and 2 households require a 1- or 2-bed bungalow.
- 2.12 Affordable housing will be secured through the use of legal agreements, to ensure that the units provided are maintained in perpetuity for households in affordable housing need. Yorkshire Housing exists to help address housing need in this way.
- 2.13 *"Proposals for affordable housing schemes outside of Development Limits will be supported where:*
- A scheme will help to meet but not exceed proven local need*
 - The site is contiguous with the development limits of the settlement*
 - The affordable homes provided are available to households in local housing need in perpetuity."*
- 2.14 Policy SP20 defines Local Needs Occupancy as being limited to people who:
- Have permanently resided in the parish, or an adjoining parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock; or*
 - Do not live in the parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years, or*
 - Are Service men and women returning to the parish after leaving military service; or*
 - Are taking up full-time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years; or*
 - Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident with the district for at least the previous three years.*

2.15 SP13 Landscapes

The site is within the designated Fringe of the Moors "Area of High Landscape Value" (AHLV) and Policy SP13 states *"The Council will carefully consider the impact of development proposals on the areas of landscape which are valued locally"* (including the Fringe of the Moors AHLV). Particular sensitivities include their natural beauty, scenic qualities and long distance skyline views.

3.0 KEY ISSUES

Consideration of these policies reveals the following key issues:

3.1 Location outside of Development Limits

The wider site was considered to be a Rural Exceptions Site when the Phase 1 Application was approved, being adjacent to Development Limit of a Service Village. Rural Exception Sites are considered only to be supportable where the proposal comprises 100% affordable units, and would not normally be used for open market housing. Both Local and National Housing Policies support this type of development in

a location such as this.

3.2 Supply of Affordable Homes

Increasing the supply of new affordable homes is a priority in Ryedale in order to address the acute affordable housing need in the District. While it is stated that Ryedale DC has exceeded its target for affordable dwellings in the 2012/13 year, it is anticipated that fewer will be completed in 2013/14, leaving a deficit.

3.3 The 2012 Nawton & Beadlam Housing Needs Survey has identified a current need for 10 affordable units with rental being the preferred tenure.

3.4 Density, Scale & Design

The development of the site for 10 dwellings on a site of 0.33 hectare, results in a density of 30 dph, which is considered acceptable on this edge-of-village location. The scale of the dwellings is appropriate to the area, reflecting the size, style and scale of the adjacent housing. The design of the dwellings is traditional, again reflecting those immediately adjacent to the application site. Detailed design issues are set out in the architect's Design & Access Statement.

3.5 Housing Tenure & Mix

The proposal has been developed in conjunction with Nawton Parish Council and Ryedale DC Housing Needs Officer, and reflects the needs identified in the Parish. All ten dwellings are proposed for Affordable Rent, to meet the identified local need. The dwellings range in size from single bedroom apartments to a detached 4-bed, two storey dwelling.

3.6 Public Open Space & Landscaping

The proposed site layout plan reflects the existing buildings on the north side of Station Road, providing a clear and simple development. The proposal includes an area of Public Open Space adjacent to that approved for Phase 1, which will be combined to provide a "village green" with some of the dwellings facing towards it. Landscaping details are included in the Design & Access Statement.

3.7 Planning Obligation

Yorkshire Housing will enter into a legal agreement with the Council to ensure that the properties remain in social ownership in perpetuity.

The maintenance of the public open space will also be subject to legal agreement.

3.8 Climate Change

Reducing dependence on the private car is a major objective towards mitigating the effects of climate change. This site is adjacent to the Service Village of Nawton/Beadlam, in easy walking distance of the A170, which is very well connected by public transport to Helmsley and Pickering.

3.9 Detailed consideration of the environmental requirements of the Code for Sustainable Homes is set out in the Design & Access statement, as are the principles of Secured by Design. The site has been designed to a high level of sustainability, resulting in comfortable, economical and energy efficient homes.

3.10 Landscape: Impact on AHLV

This corner of the AHLV is not considered to be of special importance - it comprises a fairly level grazing field. It has built development on two sides, so views into and out of it are not of particular scenic or historic value. It is correct to consider the impact of the proposal on the AHLV, but this is not considered to outweigh the benefits of provision of social housing.

4.0 CONCLUSION

- 4.1 This site represents Phase 2 of a larger site which was agreed by Ryedale DC to be a Rural Exceptions Site when Phase 1 was approved in 2010. The Phase 2 site may have come forward earlier, had a separate application been approved before this year. North Yorkshire Highways have had concerns about supporting further housing development served by Station Road, as it considered the width inadequate for additional traffic. However, a separate planning application for 21 dwellings on a 0.56 hectare site west of Station Road was approved earlier this year, and construction is now underway. This separate application has provided for the widening of the carriageway for much of the length of Station Road from the A170.
- 4.2 This proposal will help the Council meet the identified need for affordable houses to rent; it contains a good range of house types in response to the findings of the Housing Needs Survey, in a density appropriate to the area. Yorkshire Housing are the primary provider of social housing in the District, they are proposing 100% affordable houses for rent, built to highly energy-efficient standards, in accordance with up to date local and national policies. The benefits of providing affordable homes clearly outweigh the minor impact on the open countryside and the AHLV, and should therefore be approved without delay.

Jane Parkin
BA MA MRTPI
October 2013



Nawton Parish Council

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SHL.

ADJ.

Karen Hood
Managing Development Team Leader
Ryedale District Council
Ryedale House
Malton
N. Yorkshire YO17 7HH

6/11/2013

RYEDALE DC

- 7 NOV 2013

DEVELOPMENT
MANAGEMENT

Dear Karen

Planning application no. 13/01088/MFUL

I submit Nawton Parish Council's objection to the above application on the following grounds,
Policy SP3 (Affordable Housing) of Ryedale's Local Plan Strategy states, in relation to rural
exception sites, that

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

- A scheme will help to meet **but not exceed** proven local need ..."

As a Parish Council we work very closely with the housing associations in relation to all affordable
housing in Nawton. The Council worked tirelessly in support of the first phase of 10 affordable
homes on the Ashton Green site.

In May 2012, following the completion of this phase of development, a housing needs survey was
carried out in an attempt to ascertain the continuing level of local need for affordable housing. A
total of 14 questionnaires were returned, from which there was identified a modest need for further
housing. The Rural Housing Enabler's report concluded that a development of up to **6 properties**
of 2 and 3 bedroom houses would go towards meeting this need.

Since the results of the survey were reported, the Parish Council has worked closely with a new
developer, Ambleside Homes, which is developing a large site to the west of Station Road (The

Sidings), within metres of the Ashton Green site. The site comprises 22 new homes, 7 of which are a mix of 2 and 3 bedroom discount for sale affordable homes. The Parish Council is encouraged that the building works are progressing at speed and there is a great deal of interest in the site. 4 homes have already been sold off plan.

In a relatively short space of time, Nawton will have welcomed the advent of **17 new affordable homes**. The Parish Council has always taken the view that it will support further development where there is a **proven local need**.

In the last few weeks, the Parish Council has been working alongside Sanctuary Housing with the aim of filling a vacant 3 bedroom affordable property located in Beckett Close, a cul-de-sac adjacent to both The Sidings and Ashton Green. The bidding cycle closed last week. 15 bids were received, **none of which has displayed the necessary local connection to the primary parishes of Nawton, Beadlam or Skiplam**. We understand that 2 of the applicants are being contacted in an attempt to ascertain whether a connection can be established.

As far as the Parish Council is concerned, this supports its belief that **there is currently no proven local need for further development of affordable housing in Nawton at this time**. Consequently, the Parish Council cannot support Yorkshire Housing's application to build a second phase of 10 homes on the Ashton Green site.

Yours sincerely

Anne Twine
Clerk

Agenda Item 9

Item Number: 9
Application No: 13/01135/MFUL
Parish: Staxton/Willerby Parish Council
Appn. Type: Full Application Major
Applicant: Willerby Wold Piggeries Ltd
Proposal: Erection of an agricultural grain store
Location: Willerby Wold Pig Farm Staxton Scarborough North Yorkshire YO12 4SN

Registration Date:
8/13 Wk Expiry Date: 1 January 2014
Overall Expiry Date: 20 November 2013
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council	No views received to date
Archaeology Section	Recommend conditions
Highways Agency (Leeds)	Recommend conditions
Highways North Yorkshire	No local highway objections
Environmental Health Officer	No views received to date

Neighbour responses: None

SITE:

Willerby Pig Farm lies to the north of the A64 within open countryside and to the west of Staxton village. The unit has a linear built up form stretching northwards from its highway access directly onto the A64.

PROPOSAL:

Full planning permission is sought for the erection of an agricultural building to be used as a grain store.

The building will be erected on the northern edge of the cluster of buildings, which make up the existing farmstead adjacent to an existing grain store and mill building.

The building will measure 54 metres in length by approximately 19 metres in width. The height of the building to eaves will be 11 metres with a ridge height of 14 metres.

The steel framed building will be constructed of concrete panels circa three metres in height with box profile sheeting to eaves in juniper green. The roof is to be constructed from fibre cement sheeting in anthracite grey.

A roller shutter door approximately measuring 6m by 6m is proposal on the west facing elevation of the building. This is the only opening proposed in the building.

The applicant's agent has advised that the development proposal has arisen from a change in grain storage arrangements within the applicant's business. The intention is to store the grain on the site instead of at other farms in their ownership.

HISTORY:

There are several historical planning permissions and notifications at this site relating to the existing pig enterprise and farmhouse. The most recent planning history includes:

09/01128/AGNOT: Erection of agricultural building for milling and mixing of animal feeds - Determined 03.11.09

09/01129/MFUL: Erection of agricultural grain store and formation of associated concrete surfaced access and hardstanding - Approved 06.04.2010

12/01026/FUL: Erection of 1no. 50.9m high (overall tip height 77.9m) 500kw wind turbine to generate electricity for on-farm use together with associated crane pad, access track and sub station Refused 20.02.2013. Appeal in progress

POLICY:

National Policy Guidance

National Planning Policy Framework (NPPF) 2012

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land-Based and Rural Economy

Policy SP12 - Heritage

Policy SP13 - Landscapes

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable Development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

Planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The applicants propose to centralise the storage of grain/produce from their arable land to this site, which adjoins the existing mill. The mill is used to create animal feed for the applicant's own livestock enterprise. This appears as a sustainable method of agriculture, and the proposal will help facilitate this.

Policy SP9 seeks to support existing agricultural enterprises, Policy SP13 provides protection to the surrounding land and Policy SP16 aims to ensure high quality design. Policy SP19 contains the presumption in favour of sustainable development and Policy SP20 contains the generic development management policies.

The site surroundings are predominantly flat and open being typical of the site's location within the southern Vale of Pickering landscape between the A170 (to the north) and the A64 (to the south). The Willerby Pig Farm site adjoins the Wolds Area of High Landscape Value, which runs southwards from the A64 (Malton Road).

The site lies outside any defined development limits. Development will take place on land in-between existing agricultural buildings on the northern edge of a cluster of buildings and ancillary development comprising the applicant's farmstead, known as Willerby Pig Farm. The location of the proposed building is within a group of existing buildings and is considered to relate well to the existing farmstead.

As can be seen from the appended site layout plan, the footprint of the proposed building is of a substantial scale. However, when compared with the cumulative 'footprint' of existing buildings the scale of the building is considered to be appropriate to its surroundings. Its height at 14m is relatively high for an agricultural building. However, given that it is approximately the same height as the existing mill building that adjoins the application site on the southern side, the proposal is considered to be acceptable in this case.

The darker grey roof materials are also considered appropriate to the site and its surroundings. The design of the building is also considered to be generally representative of other modern farm buildings in the District. Overall, the scale, materials, colour and architectural details are considered sympathetic to their surroundings.

The proposed building will be largely screened from the south by the existing farm buildings. The new building will, however, be partly visible when approaching the site from the east and west (along the A64) but will be viewed against the backdrop of the existing farmstead. Shorter-range views of the site, which do not fall within the public domain, will again see the new building in the context of its built up surroundings. It is, therefore, considered to be acceptable in terms of its visual impact upon the surrounding open countryside.

The site lies in a relatively isolated location away from built up development. The nearest residential dwelling, not directly located on the agricultural unit, is to the west of the site fronting the A64, known as 'Greystoke'. The Environmental Health Officer has not made any objections. Given the separation distance at approximately 240m and the existing operations at the site, the potential noise and disturbance associated with this grain store is considered to be negligible. As such, it is not considered to have a material adverse effect upon the amenity of adjoining properties.

Access to the site is via the existing site access directly off Malton Road (the A64). As such highways advice has been provided by the Highways Agency. The Highways Agency has raised no objection in principle to the proposed development subject to a condition regarding wheel washing facilities.

The local Highway Authority has no objection to the proposal.

The planning application is considered to accord with relevant planning policy and there are no material considerations, which override this compliance. The recommendation is therefore one of conditional approval.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 3 No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:- The site is of archaeological interest and investigation/protection and observation of the site is required by the National Planning Policy Framework.

- 4 There shall be no access or egress by any vehicles between the highway and the application site regarding the proposed new development on site, until a vehicle wheel washing facility has been installed on the access road to the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority and in consultation with the Highways Agency. These facilities shall be kept in full working order at all times. All vehicles travelling to or from the site shall be thoroughly cleaned before leaving the site, so that no mud or debris is deposited on the highway.

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

- 5 Prior to the commencement of the development hereby approved, the proposed finished ground floor levels and existing ground floor levels measured in relation to a fixed datum point and the adjoining buildings shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect the character and appearance of the area, and to satisfy Policies SP13 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Prior to its first installation, precise details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In order to protect the character and appearance of the area, and to satisfy Policy SP20 of the Ryedale Plan - Local Plan Strategy.

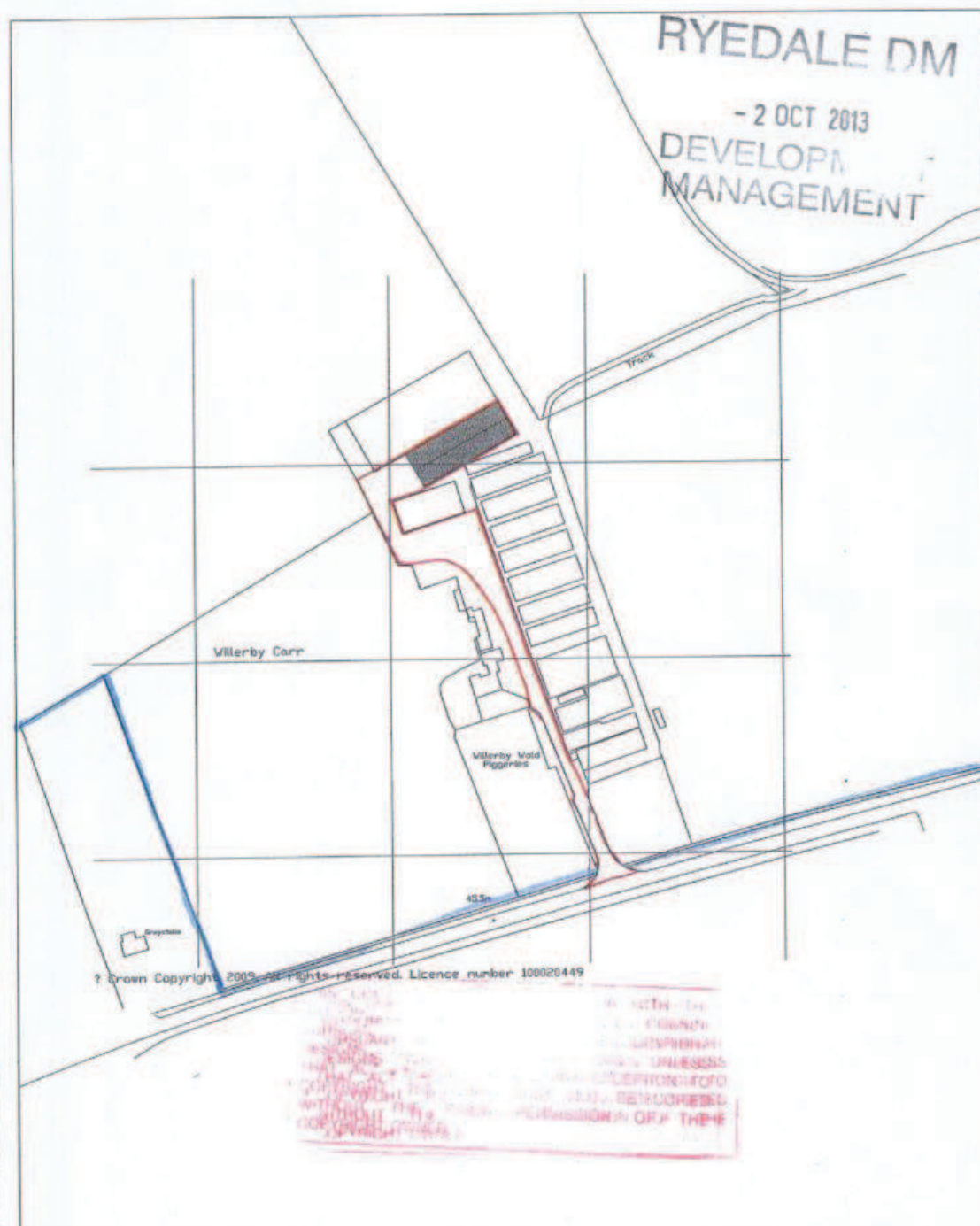
- 7 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Drawing No. IP/WP/01 - Location Plan;
Drawing No. IP/WP/02 - Block Plan; and
Drawing No. IP/WP/03 - Elevations

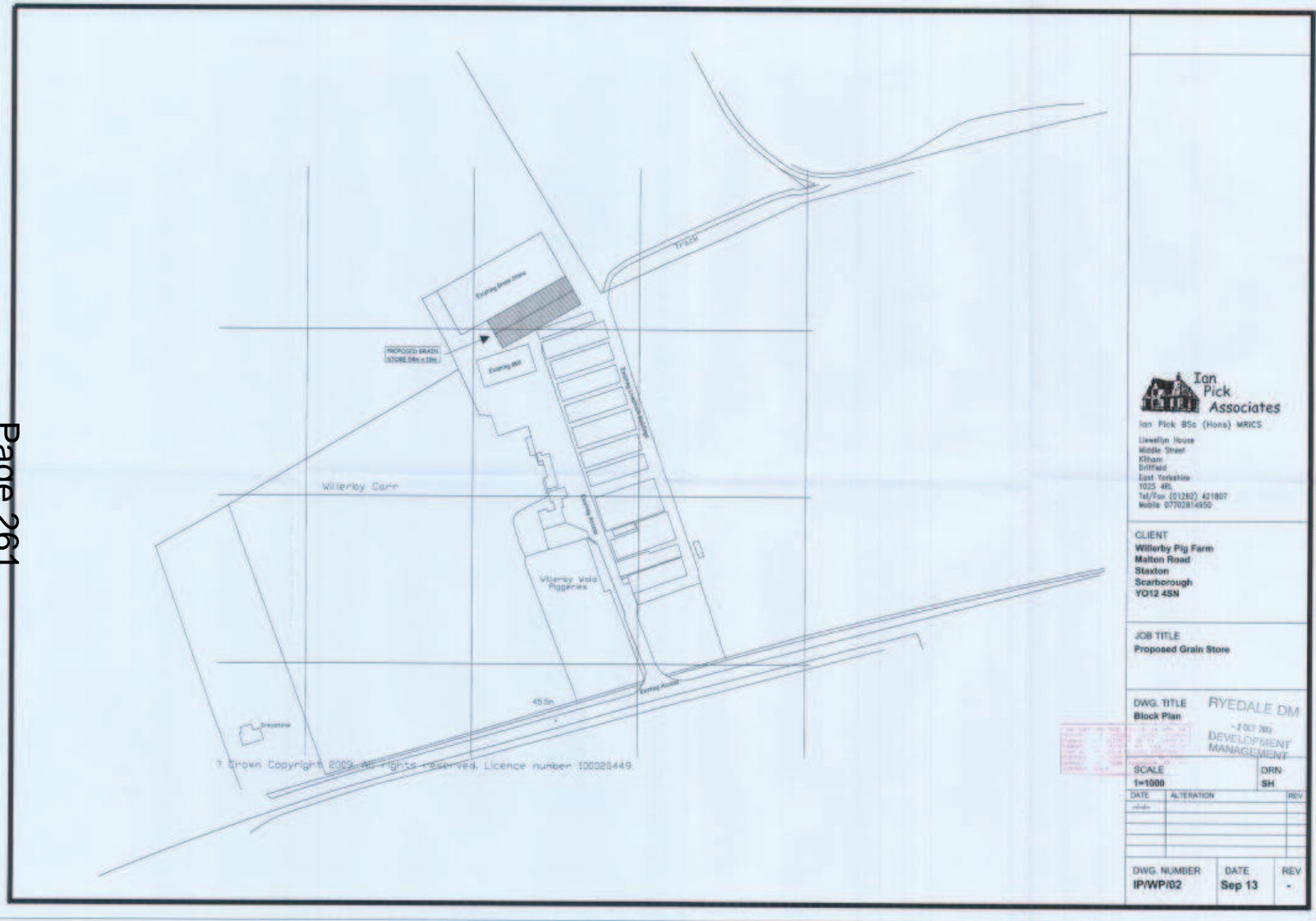
Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties



Ian Pick BSc (Hons) MRICS Llewellyn House Middle Street Kilham Driffield East Yorkshire YO25 4RL Tel/Fax (01262) 421807 Mobile 07702814950	CLIENT Willerby Pig Farm Staxton Scarborough YO12 4SN	JOB TITLE Proposed Grain Store	SCALE 1:2500	Rev -
		DWG. TITLE Location Plan	DWG. NUMBER IP/WP/01	DATE Sep 13



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 Tel/Fax (01262) 421807
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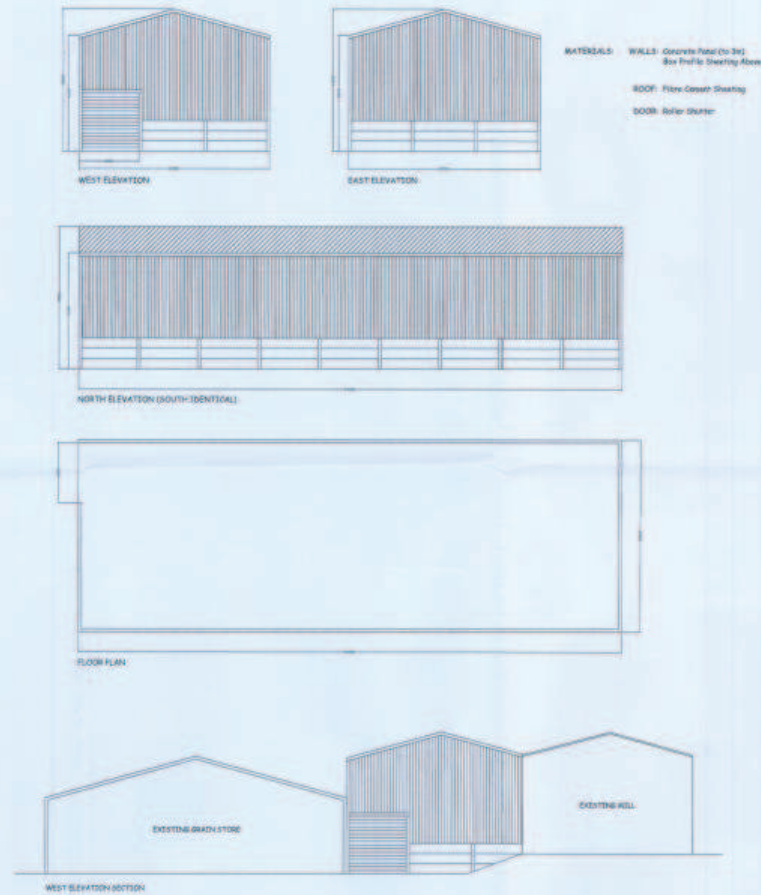
CLIENT
 Willerby Pig Farm
 Malton Road
 Skelton
 Scarborough
 YO12 4SN

JOB TITLE
 Proposed Grain Store

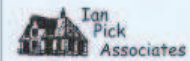
DWG. TITLE
 Block Plan
 RYEDALE DM
 - 2003 DM
 DEVELOPMENT
 MANAGEMENT

SCALE		DRN
1=1000		SH
DATE	ALTERATION	REV

DWG. NUMBER	DATE	REV
IP/WP/02	Sep 13	-



MATERIALS: WALLS: Concrete Panel (to 3rd)
Box Profile Sheeting Above
ROOF: Fibre Cement Sheeting
DOOR: Roller Shutter



Ian Pick BSc (Hons) MRICS

Liveslyn House
Middle Street
Kilham
Driffield
East Yorkshire
YO25 4R
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Mobile 07702014950

CLIENT
Willerby Pig Farm
Malton Road
Staxton
Scarborough
YO12 4SN

JOB TITLE
Proposed Grain Store

DWG. TITLE RYEDALE DM
Elevations - 2 OCT 88
DEVELOPMENT
MANAGEMENT

SCALE 1=200		DRN SH
DATE	ALTERATION	REV

DWG. NUMBER IP/WP/03	DATE Sep 13	REV -
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PROPOSED GRAIN STORE AT WILLERBY PIG FARM

- 2 OCT 2013

DESIGN, ACCESS AND PLANNING STATEMENT

DEVELOPMENT
MANAGEMENT

Introduction

This report has been commissioned by Willerby Wold Piggeries Ltd of Willerby Pig Farm, Malton Road, Staxton, Scarborough, YO12 4SN.

Section 42 of the Planning and Compulsory Purchase Act 2004 requires a Design and Access Statement to be submitted with the majority of planning applications. The purpose of this report is to satisfy the requirements of Section 42 of the aforementioned Act.

This report has been prepared to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

This report has been prepared by Ian Pick. Ian Pick is a specialist agricultural and rural planning consultant. He holds a Bachelor of Science with Honours Degree in Rural Enterprise and Land Management and is a Professional Member of Royal Institution of Chartered Surveyors, being qualified in the Rural Practice Division of the Institution.

Ian Pick has 15 years experience in rural planning whilst employed by MAFF, ADAS, Acorus and most recently Ian Pick Associates Limited.

The Proposed Development

The applicants operate an agricultural business with an operational base at Willerby Pig Farm. The agricultural business extends to 2800 acres of owner occupied land. The total arable cropping across the whole business now exceeds 1900 acres.

The whole business operates large scale livestock enterprises which extend to 7000 pigs places, 120,000 free range laying hens and 600 head of fattening bulls. The businesses arable enterprises produce cereals as feed for the extensive livestock enterprises. All of the cereals produced by the business are used for animal feed within the business.

The proposed grain store at Willerby Pig Farm will provide a further 3000 tonnes of dedicated storage immediately adjacent to the existing grain store and existing mill and mix facility.

Policy

SP9 The Land-Based and Rural Economy

Ryedale's land-based economy will be sustained and diversified with support for:

- New buildings that are necessary to support land-based activity and a working countryside, including for farming, forestry and equine purposes

SP20 Generic Development Management Issues

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.

The proposed development at Willerby Pig Farm is for the sustainable development of an agricultural business and improvement and continuation of the agricultural enterprise.

Therefore, the new building is necessary to support land-based activity and working in the country, and as such complies with the requirements of Policy SP9.

In terms of policy SP20, the development will respect the character and context of the immediate landscape as the development has been located adjacent to the existing agricultural buildings. This will mean that the development will not have a detrimental effect on the surround landscape.

The proposed materials are typical of an agricultural building such as this, and are appropriate to the rural location.

Due to the nature of the proposed development and the separation distance with neighbouring residencies, noise and odour impact from the development will be negligible, as will impact on the amenity of users or occupants of neighbouring land or buildings.

This proposal is for a grain storage facility, which is immediately adjacent to existing agricultural buildings. The proposed development will form part of the existing group of buildings and as such will not have an adverse impact on the appearance of the surrounding landscape.

The proposed development is also generally compliant with the requirements of Policy SP20.

Amount

The proposed development involves the erection of No.1 grain storage building. The proposed buildings extend to 54m x 19m with an eaves height of 11.4 and a ridge height of 14m.

Use

The use of the proposed building is for the storage of grain.

Layout

The proposed grain store has been located immediately adjacent to the existing agricultural buildings to the north of the farm building complex at Willerby Pig Farm. The proposed development will be served by the existing highway access and existing turning areas within the application site.

Scale

The scale of the development is one building, of dimensions 54m x 19m with an eaves height of 11.4 and a ridge height of 14m.

Landscaping

The proposed grain store will be constructed from a steel portal frame, with concrete panel and box profile sheet walls and a fibre cement roof.

The proposed building is located adjacent to the existing agricultural buildings at the northern end of the farmstead. The floor level of the proposed grain store will be 2m lower than the existing mill and mix building, and thus the ridge height of the proposed building will match that of the existing mill.

The proposed building will only be visible in the context of the existing built development at Willerby Pig Farm and as such will not be visually prominent and will not have a detrimental impact on the surrounding landscape.

Appearance

The proposed grain store will be constructed of concrete panels to 3m with profile sheeting above in Juniper Green. This material is identical to the cladding of the adjacent building. The roof will be constructed of fibre cement sheeting in anthracite.

Access

Access to the development from the public highway is via the existing farm entrance from the A64.

The proposed development will not have any impact on traffic too and from the site. Currently, all of the grain produced by the business is transported from outlying stores to Willerby Pig Farm for milling. The proposed development will result in more grain being stored on site, rather than being brought in.

Ian Pick
September 2013

Item Number: 10
Application No: 13/01164/MFUL
Parish: Great & Little Barugh Parish Council
Appn. Type: Full Application Major
Applicant: Ms Clair Dobson
Proposal: Change of use of land to allow formation of 30 no. additional touring caravan pitches to existing site
Location: Willow Garth Farm Barugh Lane Great Barugh Malton North Yorkshire YO17 6UZ

Registration Date:
8/13 Wk Expiry Date: 7 January 2014
Overall Expiry Date: 20 November 2013
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Tree & Landscape Officer	Recommend details of all proposed planting submitted
Countryside Officer	Request more information
Sustainable Places Team (Yorkshire Area)	Object
Housing Services	Recommend informative
Parish Council	No objection but have concerns
Highways North Yorkshire	Recommend conditions
Environmental Health Officer	No views received to date

Neighbour responses: Ms Janet Isherwood,

SITE:

The application site is located to the north west of Great Barugh within the Open Countryside. The application site comprises part of the existing caravan site and its access, a woodland area, and an arable field. The site approximately measures 1.05 hectares and is also within Flood Zone 3a. The site is served by an existing access from Barugh Lane. On the opposite side of the road is the River Seven, which is the source of potential flooding to the site.

PROPOSAL:

Planning permission is sought for the change of use of land to allow the formation of 30 no. additional touring pitches to the existing site area. The proposal will mean a total of 60 touring pitches including a 2007 approval for 30 touring pitches.

The proposal will use the existing access onto Barugh Lane and proposes 2 additional pitches within the main body of the existing caravan park. The proposed access then leads through an establish area of trees and proposes an additional 28 touring pitches arranged around an internal rectangular shaped road.

The application contains a Flood Risk Assessment and Design & Access Statement.

HISTORY:

3/12/20/PA: Continued use of land as a caravan site (12 touring vans and 3 static caravans) at Willow Garth (amended by letter and plan dated 30.12.82) - Approved 14.1.83

07/00239/FUL: Change of use of land to allow siting of 15 no. additional touring caravans to give a total of 30 no. touring caravans on site at any one time between 1st March and 31st October each year
- Approved 17.05.2007

POLICY:

National Planning Policy Guidance 2012

Ryedale Plan - Local Plan Strategy

Policy SP8 - Tourism
Policy SP10 - Physical infrastructure
Policy SP13 - Landscapes
Policy SP14 - Biodiversity
Policy SP15 - Green Infrastructure Networks
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:

1. The principle of the proposed development and whether the sequential test is met;
2. Site specific flood risk mitigation;
3. Impact of the proposed development upon the character and appearance of the open countryside;
4. Landscaping;
5. Highway safety;
6. Impact upon the amenity of the neighbouring properties;
7. Ecology and biodiversity;
8. Drainage.

As the site area is in excess of 1 hectare this application is classed as a 'Major' application, and has to be determined by Planning Committee.

Policy SP8 of the Ryedale Plan in principle supports tourism related development in the District because of its economic benefits to the area. These economic benefits have to be balanced against the other associated impacts from the scheme, particularly the environmental impacts in this case.

Flood risk

Members will appreciate that this site is located within Flood Zone 3a. The proposed use is classed as 'More Vulnerable', as such the proposal needs to meet the requirements of the sequential test and the exception test. The Environment Agency has objected to the application until such time that the sequential test has been met in an open and transparent way. It is the responsibility of the Local Planning Authority to ensure the sequential test is met. NPPF para 100 states:

"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere"

Members will appreciate from the planning history on this site that an extension to the existing caravan park was granted in 2007. The history also indicates a long standing planning permission prior to the 1982 for 3 static and 12 touring units. The proposal essentially doubles the number of units from its current number of 30 pitches.

The appraisal for the 2007 application stated that the application was in Flood Zone 2, and there was no mention of the sequential test in the officer report. However, it would appear that this was incorrect and that the site at that time was in Flood Zone 3. With recent flooding in the District, it has become a greater issue and this is reflected in planning policy.

Advice from central government is for Local Planning Authorities to undertake the sequential in a pragmatic way. It gives the example of an extension to an existing business where it might not being reasonably possible to sequentially test other sites. The agent has cited this as justification for this proposal, along with a statement that this is the only land owned by the applicant. Officers are concerned with that approach in respect of this application. This is because of the entirely separate location and nature of the proposed 28 pitches to the east of the existing caravan park. The proposed extension in that respect is tantamount to a new caravan park, albeit with a shared access through the existing caravan park. It is a double in size of the existing caravan park, and whilst the advice from central government should be considered in such cases it is considered that the word 'extension' implies a much smaller addition than that sought in this case. The subject site is arable land and has not been used for any other purpose previously. Officers are therefore minded to confirm that the proposal does not meet the requirements of the sequential test. Furthermore, there has been no other assessment of other sites in the area to establish if there is an available site. In this regard, officers are of the view that to simply say that because the applicant does not own any other land and this is an acceptable extension of existing Caravan Park in terms of flood risk and that the sequential is met.

Officers are currently in liaison with the Environment Agency for clarification regarding the proposed extension argument advocated by the agent. Members will be updated regarding the sequential test.

It is not considered appropriate to address site specific flood risk issues that could be implemented in order to mitigate flood risk until such time that the sequential test has been met.

Impact upon the character and appearance of the open countryside

The proposed 2 pitches within main area of the existing site are considered to relate well to the existing site and are considered to represent a bona fide extension to the main caravan park and they have limited impact upon the wider open countryside.

The proposed 28 no. pitches to be located on arable land to the east are to be accessed through the existing woodland and arranged around a rectangular shaped road. On the proposed Site Plan a possible amenity block is annotated, as not being part of this application but being required before this development was brought into use. That proposal would be considered on its own merits, and does not form part of this application.

The proposed 'break-out' area would mean a separation distance of approximately 75m between the closest existing pitch and closest proposed pitch. There is an established woodland between the existing caravan park and proposed breakout area. In this respect the proposed breakout area would be seen entirely separate from the existing caravan park. As a result the proposal is not considered to relate well to the existing caravan park in terms of its location and its scale.

There are clear views of the application site from Wandale Lane on the east. Although this is a minor road, there are clear views of the existing arable field with the existing woodland forming a backdrop. The Tree and Landscape Officer has considered that the proposal should have a landscaping scheme submitted for consideration before the application is determined. The agent has submitted this and the Tree and Landscape Officer is currently appraising this. Members will appreciate that, previously the Ryedale Local Plan required new tourism development to be screened by existing landform or landscaping. Policy SP8 does not have this criteria but it does require that new development does not '*undermine the character of the area or prejudice the quality of the natural or built environment.*' Policy SP13 also places increased emphasis on the Vale of Pickering as an important landscape.

Officers are concerned at the visual impact of the proposed 28 caravans upon the landscape when viewed primarily from Wandles Lane. Notwithstanding the above concerns, it is considered that this application is premature in terms of any existing planting available to screen the proposal.

Ecology

The Countryside Management Officer has requested additional information regarding the possible effect of the proposed development upon the woodland. It is also stated that further steps to improve the woodland is required, should the application be approved. This request will be forwarded to the agent and Members will be updated.

Residential amenity

The closest residential property is 100m away to the south that is outside the applicant's ownership. It is not considered that the proposal would have a material adverse effect upon the nearby properties in terms of noise and disturbance. The views of the Environmental Health Officer are awaited, and Members will again be updated at the meeting.

Highway safety

The proposal seeks to utilise the existing access to the site from Barugh Lane. This current access serves the existing touring pitches. The local Highway Authority considers the development acceptable subject to the imposition of conditions in respect of visibility; an improved and widened access position, parking provision, highway drainage and precautions to prevent mud on the highway.

Drainage

The proposal is for foul water to be dealt with via a package treatment plant. Surface water is to be drained to a combination of a soakaway, existing watercourse, and a pond/lake. The Environment Agency has stated that permits in this respect may be required and have recommended an informative.

Other issues

One objection has been received regarding noise levels, traffic implications, visual impact and a suggestion that this is the absolute maximum the site can develop to. The issue of visual amenity and noise has been addressed in the appraisal above. Any potential disturbance from people walking past the objector's house is considered to be minimal and for only a brief period. The local Highway Authority are being asked if there is any need for a footpath to link the application site to the existing village, and Members will be updated at the meeting.

The Council's Housing section who undertake site licensing for caravan sites has no objection to the proposed development.

In view of the application of the sequential test in this case being considered further it is not possible for a final recommendation to be made on this application at present. It is anticipated that an update report shall be available on the late list.

RECOMMENDATION: **Made at the Meeting**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties

Nicholas W Greenhalgh Dip Arch. R.I.B.A.
Chartered Architect Cedar Studio Designs Limited
42 Town St. Old Malton Malton N. Yorks. YO17 7HD
Tel 01653 693957 07710 882456 Mobile



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ALL DIMENSIONS MUST BE CHECKED ON SITE WHERE POSSIBLE
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WRITTEN AUTHORITY

client	Ms C Dobson
project	Willow Garth Caravan Site
title	Location Plan
date sent	07/06/2014

1.1250

Ⓐ A3

Nicholas W Greenhalgh Dip Arch. R.I.B.A.
Chartered Architect Cedar Studio Designs Limited
42 Town St. Old Malton Malton N. Yorks. YO17 7HD
Tel 01553 693957 07710 882456 Mobile



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WRITTEN AUTHORITY

client	Ms C Dobson
project	Willow Garth Caravan Site
title	Site Plan
date	07/06/05

1.1250

Ⓜ A3

Design & Access Statement – Willow Garth
Planning Portal Reference – PP-02915608

Background

National Planning Policy Framework

Policy 15 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".

with a 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.

(10) Unless material considerations indicate otherwise.

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)

Overview

The application is for Planning permission to extend an existing caravan site (currently licensed for 30 touring vans) to provide sites for a further 30 touring caravans (caravans which can be towed by a motor vehicle on a public highway)

Use

The proposed use is for an extension to an existing caravan site.

Amount

The proposal is for doubling the existing capacity.

Layout

The proposed layout is shown on the application drawings. The layout is indicative and may vary to ensure longevity of soft landscaping. Distances between adjacent caravans will be maintained to ensure compliance with the Local Authority's model standards.

Scale

There is no building involved so scale is not an issue.

Landscaping

Landscaping will include planting where indicated as a tree screening belt, planting to the North Eastern edge of the extended site boundary and individual trees within the site layout. Further planting will be undertaken to screen the extension to the site from the existing site. The existing woodland will be retained and enhanced to provide natural habitat.

Appearance

The appearance of the proposed development will vary with the number of caravans resident on the site. The site is only visible for a short period of time whilst the public passes on the adjacent road and from other directions the site is not considered to be visually intrusive by virtue of its location and screening by established hedgerows and proposed planting.

Context of proposal in relation to current Planning Policy

Relevant Policy SP8 Tourism

"Tourism in Ryedale will contribute to a sustainable and diverse economy. The Council will seek to encourage sustainable tourism which minimises its environmental impact on the district".

- Touring caravan and camping sites and static caravan and chalet self-catering accommodation of an appropriate scale and in appropriate locations on the edge of settlements.
- New touring caravan and camping sites and static caravan and chalet self catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality.

No target for the net amount of static caravans and touring caravan sites has been set within The Local Plan

Flood Risk Assessment

See separate document

Access

The site is served by pedestrian and vehicular access to the South of the site. The need of disable people using the site facilities is being considered by the operators in terms of permanent washing/w.c./shower facilities but this will be incorporated within the proposed additional amenity block which is outside the scope of this application.

Nicholas W Greenhalgh Dip Arch RIBA Chartered Architect
Cedar Studio Designs Limited, 42 Town Street, Old Malton, Malton, YO17 7HD
07 October 2013

Item Number: 11
Application No: 13/00919/FUL
Parish: Wombledon Parish Council
Appn. Type: Full Application
Applicant: Mr B Marshall
Proposal: Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application)
Location: Plough Inn Main Street Wombledon Kirkbymoorside YO62 7RW

Registration Date:
8/13 Wk Expiry Date: 22 October 2013
Overall Expiry Date: 25 September 2013
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council Object
Environmental Health Officer Request further information

Neighbour responses: N S & E J Walters, Christine Hartup, Andrew & Carol Graham,

SITE:

The application site comprises a Public House; The Plough, which is a Grade 2 listed building. The site is located within both the Conservation Area and the development limits of Wombledon. The site is positioned on Main Street with its side elevation fronting onto Page Lane.

PROPOSAL:

Planning permission is sought for the installation of 2 no. kitchen extract ventilation system cowls on the south facing roof slope, together with the addition of coping stones to the front curtilage wall and the laying of York stone paving to front seating area. This application is retrospective, as both elements of the proposed works have already been undertaken. However, the works remain unauthorised until such time as planning permission is granted.

Accompanying this application is a Heritage Statement prepared by Colin Briden on behalf of the applicant's and is available to view online.

HISTORY:

3/154/48/PA: Change of use and alterations to bottle store room to form pool room - Approved 11.12.86

3/154/48A/LB: Listed building application for the erection of 4 external steps, a landing and doorway - Approved 05.01.87

3/154/48B/FA: Change of use, alterations and first floor extensions to form a self contained apartment - Approved 11.10.88

3/154/48C/LB: Extension, internal and external alteration of outbuilding to form a dwelling - Approved 11.10.88

3/154/48D/FA: Siting of LPG tank - Approved 07.11.90

11/00842/FUL: External alterations to include erection of pitched roof over existing flat roofed toilet area, increase in pitch of stone roof with 3 no. conservation roof lights and alteration to end door, replacement of some windows and external doors, installation of 2 no. toilet windows and external flue - Approved 02.11.2011

11/00873/LBC: External and internal alterations to include erection of pitched roof over existing flat roofed toilet area, increase in pitch of stone roof with 3 no. conservation rooflights and alteration to end door, removal of porch, replacement of some windows and external doors, installation of 2 no. toilet windows and external flue, formation of internal opening, replacement of car park elevation windows with Yorkshire sliding sash, re-rendering or whitewashing of front elevation and replacement of front door - Approved 03.11.2011

13/00920/LBC: Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application) - Pending

POLICY:

National Planning Policy Framework 2012

Ryedale Plan - Local Plan Strategy:

Policy SP11 - Community Facilities

Policy SP12 - Heritage

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:

- Whether the proposals will either preserve or enhance the character and appearance of the Wombleton Conservation Area?
- The impact of the proposals upon the Grade 2 listed building?
- The impact upon the amenity of the neighbouring residential amenities in terms of noise, and odour;

Policy SP12 seeks to ensure protection for existing heritage assets, which include the Wombleton Conservation Area and the Grade 2 listed building. Policy SP11 provides protection for community facilities of which Public Houses are included. Policy SP19 has a presumption in favour sustainable development and Policy SP20 contains the generic development management policies.

The proposed ventilation units are located on the southern elevation of a rear wing and not visible from any public vantage point. The design of the vents is typically utilitarian but they are coloured terracotta to relate to the existing pantile roof. The proposals in terms of their design, siting and appearance are considered to have a satisfactory relationship to the existing building and ensure the character and appearance of the conservation area is preserved.

A separate Listed Building Consent application (13/00920/LBC) accompanies this application which appraises the impact upon the Listed Building. That report concludes that the proposals will have less than substantial harm on the listed building and that there public benefits derived from the scheme. The public benefits relate to the importance of retaining the The Plough in this village which is supported by Policy SP11 of the Ryedale Plan.

Regarding residential amenity, there have been objections raised by one neighbour regarding the noise from the extraction units. The Environmental Health Officer initially requested a noise and odour survey. The agent claims that since their first installation there have been changes made which have reduced the noise levels. The Environmental Health Officer subsequently measured the noise levels herself from the units within the gardens of neighbouring properties and has confirmed that there are no noise objections. Suitably, the Environmental Health Officer has no objection regarding odour issues. As such, it is not considered that the proposals can be refused planning permission on the grounds of residential amenity impacts.

The Parish Council has objected to the application on the grounds of the proposal being retrospective. This is not in itself, a material planning consideration. The Parish Council also objected to the appearance of the outdoor seating area in the front courtyard together with residential amenity objections regarding the proposed ventilation system. Residential amenity impacts and the proposed alterations to the front courtyard have been appraised above, and there are considered to be no grounds to refuse the application on this basis. The Parish Council's comments about the length of time to submit this application from the time a complaint was received are noted, but this is also not a material planning consideration. The application is required to be assessed on its merits.

Members should also note that there have also been two letters of support. These are principally in terms of the importance of the Public House for the village which is noted, Members can view all correspondence in relation to the application on the Council's website.

In view of the above it is recommended that planning permission is granted retrospectively for the proposals.

RECOMMENDATION: **Approval**

Background Papers:

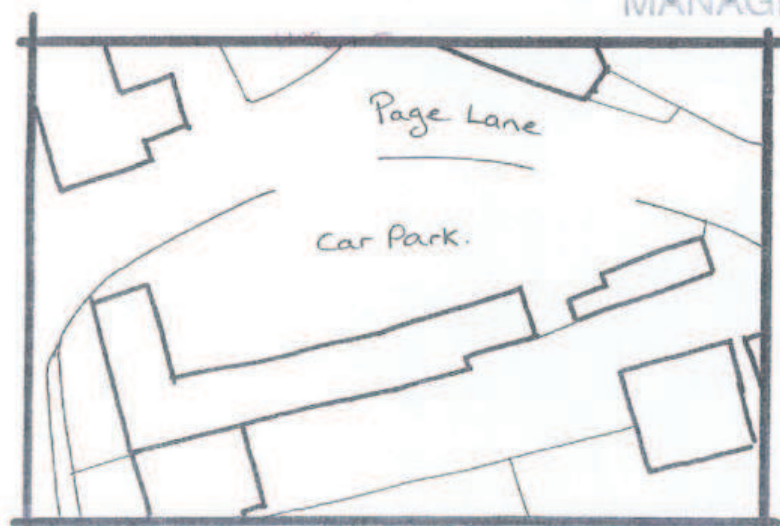
Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties

This is a historical map of the area around the University of Cambridge, specifically the 'New Court' and 'Old Court' areas. The map shows the layout of the buildings and the surrounding streets. The 'New Court' is highlighted in red, and the 'Old Court' is highlighted in blue. The map includes labels for various streets and buildings, such as 'Shaw's Close', 'East Terrace', and 'New Court'. The map is oriented with North at the top.

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13/00919/F46

27 AUG 2013

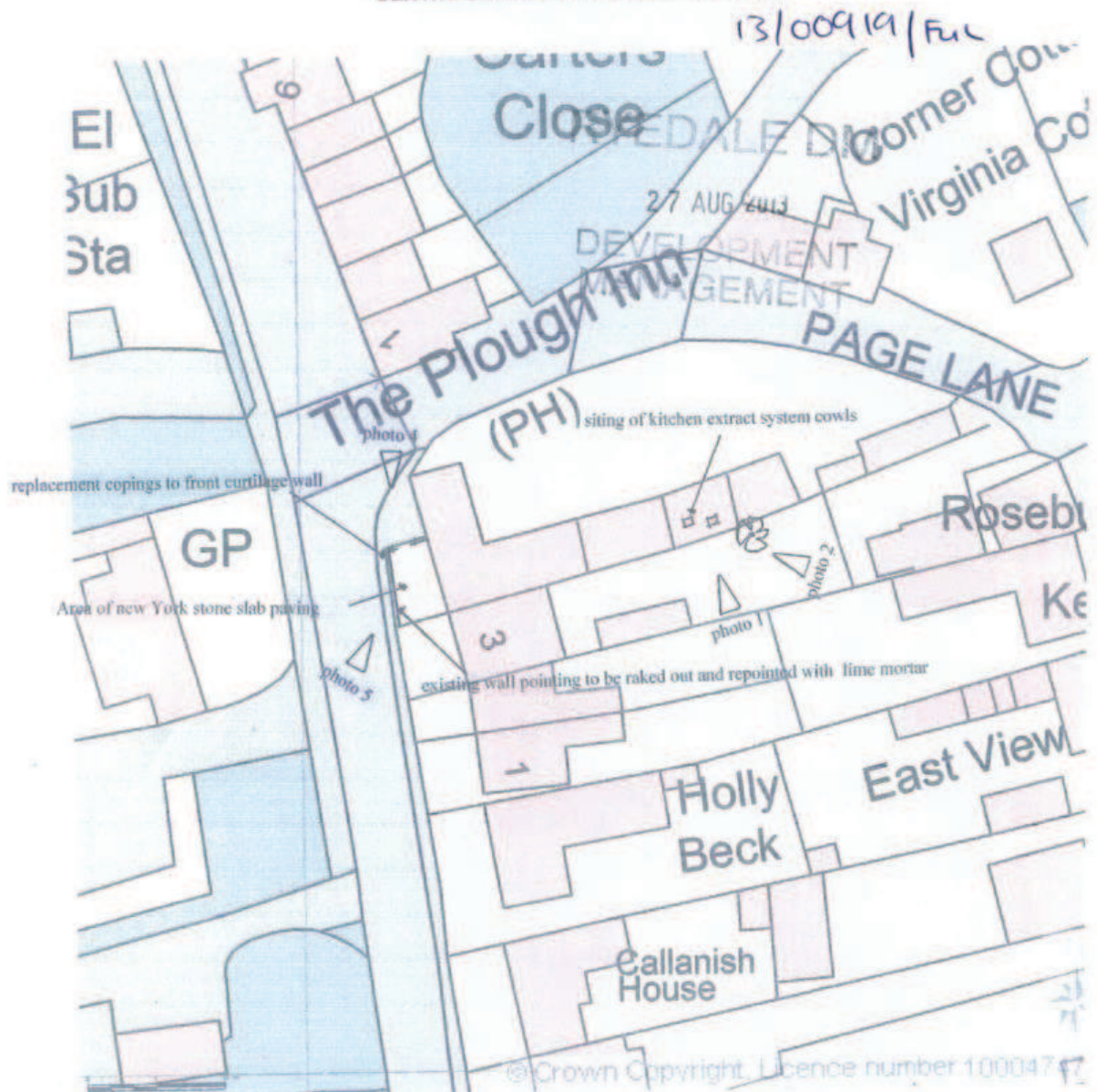
DEVELOPMENT
MANAGEMENT

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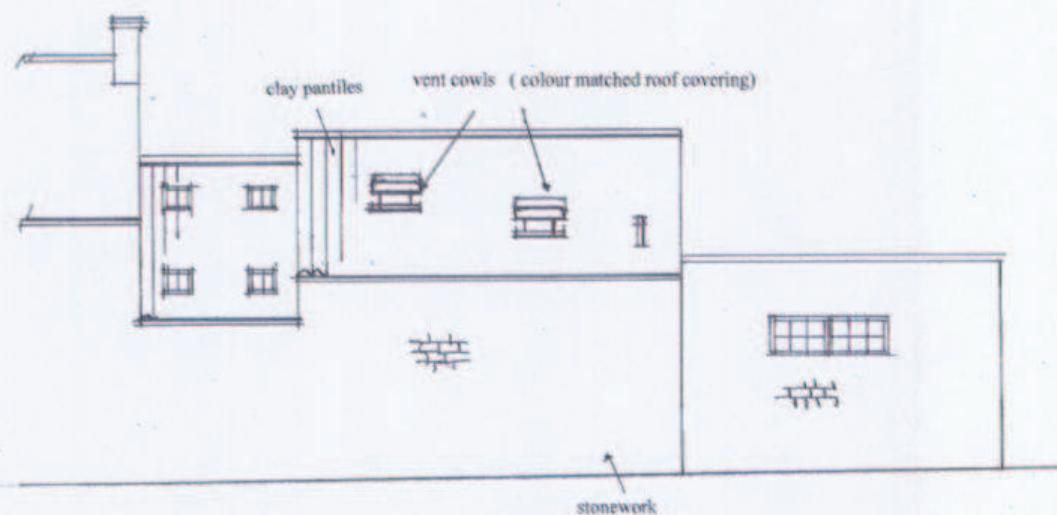
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SCALE 1:500 on A4
CENTRE COORDINATES: 466925, 484043



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1:100



South Elevation



East Elevation

HYEDALE DM

27 AUG 2013

DEVELOPMENT
MANAGEMENT

13/00919/FUL

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Project: Retention of kitchen extract system cowls
Location: The Plough Inn, Wombledon
Client: Mrs B Marshall
Drg Title: Elevations showing cowls as installed
Drg N.o: PIW/P01
Scale: 1:100
Date: July 2013



Phil Parker MRICS MIFireE

P M PARKER Surveying and Design Ltd

Low Barn 76 Kingsgate Bridlington East Yorkshire YO15 3PL

Tel: 01262 676610 Mobile: 07531 548905

Email: pm.parker@talktalk.net

Handwritten: AH. and a signature.

WOMBLETON

Mrs M L Slater, Parish Clerk.
Ryecroft,
Main Street,
Wombledon,
North Yorkshire.
YO62 7RX.
Tel 01751 432272.

Email louise@wombledon.wanadoo.co.uk

FAO Karen Hood, Senior Technical Officer.
Ryedale District Council,
Ryedale House,
Malton,
North Yorkshire.
YO17 7HH.

RYEDALE DM
- 9 SEP 2013
6th September 2013.
Handwritten: a-1 a/q.

Dear Sirs,

Handwritten: 13/00919/FUL.

* Re Application ~~11/00872/FUL~~ Mrs B Marshall, Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application) at the Plough Inn, Main Street, Wombledon

and

Application no 13/00920/LBC Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope, addition of coping stones to front curtilage wall and laying of York stone paving to front seating area at The Plough Inn, Main Street, Wombledon.

I refer to the above applications which were considered by my Council at the Parish Council Meeting on Tuesday 3rd September 2013. Councillors examined the plans and supporting documents for both applications in detail and unanimously recommended rejection of both applications.

My Council wishes me to state not for the first time that it is very unhappy that the applicant is making retrospective applications at all. It considers neither it nor RDC should be considering applications which involve looking at photographs of something that is already there which essentially should not be there at all.

Councillors were of the opinion that the front seating area did not look as traditional as it was previously and given that the building is listed and in the centre of the village which is a Conservation Area this was not acceptable. The Council has received complaints about the noise and on many occasions odour from the kitchen ventilation system – this suggests the system is possibly not appropriate. It understands that you too have had cause to investigate the matter and that this investigation is still ongoing as the complainant has not yet received

Mrs M L Slater, Parish Clerk, Ryecroft, Main Street, Wombledon, YO62 7RX
Tel 01751 432272.

Councillors: Mrs S Sharples (Chairman), Mr B Grice (Vice Chairman), Mrs A Oliver, Mr R Colley and Mrs S Turnbull.



any response to the matter some sixteen months after the initial inspection. In view of the loss of residential amenity to neighbouring properties the Council recommends rejection of the application.

To summarise my Council recommends rejection of both applications.

Yours faithfully,

Louise Slater.

Clerk to Wombleton Parish Council.

Mrs M L Slater, Parish Clerk, Ryecroft, Main Street, Wombleton, YO62 7RX
Tel 01751 432272.

Councillors: Mrs S Sharples (Chairman), Mr B Grice (Vice Chairman), Mrs A Oliver, Mr R Colley and Mrs S Turnbull.

Colin Douthwaite

From: Louise Slater [louise@wombledon.wanadoo.co.uk]
Sent: 18 September 2013 15:32
To: Development Management
Subject: 11/00872/FUL and 13/00920/LBC Mrs B Marshall The Plough Wombledon
Importance: High

KK 19/9/13
ALE DM
19 SEP 2013
DEVELOPMENT
MANAGEMENT Email louise@wombledon.wanadoo.co.uk
Mrs M L Slater, Parish Clerk.
Ryecroft,
Main Street,
Wombledon,
North Yorkshire.
YO62 7RX.
Tel 01751 432272.

FAO Karen Hood, Senior Technical Officer.
Ryedale District Council,
Ryedale House,
Malton,
North Yorkshire.
YO17 7HH.

18th September 2013

Dear Sirs,

*13/00919/FUL
Re Application ~~11/00872/FUL~~ Mrs B Marshall, Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application) at the Plough Inn, Main Street, Wombledon and Application no 13/00920/LBC Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope, addition of coping stones to front curtilage wall and laying of York stone paving to front seating area at The Plough Inn, Main Street, Wombledon.

I refer to the my letter dated 6th September in relation to the above applications. It has been pointed out to me that paragraph two in relation to retrospective applications is potentially ambiguous. Can I please make clear that it is intended to read that the Council is unhappy not for the first time. It did not intend to imply that this particular applicant has previously made a retrospective application as this is not the case.

The Plough Inn
Wombledon
North Yorkshire

Heritage Statement

Colin Briden
Historic Buildings Archaeologist
February 2013

AYEDALE DM

27 AUG 2013

NT

IT

13/00919/FUL

1. INTRODUCTION

The Plough Inn at Wombleton is a Grade II listed building; the listed building description is reproduced at the end of the Statement. In 2012 a comprehensive scheme of refurbishment was carried out with Listed Building Consent. However it subsequently turned out that some aspects of the work done were not consented; this situation arose, in part, from the need to comply with Health and Safety requirements particularly in the new kitchen. At the request of the local planning authority, Ryedale District Council, a further application is now to be submitted in order to regularise this situation.

The Plough Inn comprises a principal range, on Main Street, and a rear range. The principal range is said to be of C17 date (although this has never been confirmed) and is of cruck construction, encased in masonry and extended at a later date. No part of the fabric of this range is directly affected by the current proposals.

The rear range has been constructed and extended at several different dates, all likely to be in the early C19 and later. That part of the rear range affected by these proposals is away from the main range and is probably of mid-C19 date.

In the listed building description the rear range is expressly described as being '*...not of special interest*'. Hence although it lies within the curtilage of a listed building, and listed building consent is therefore required for any work judged as affecting its character and setting, it has been assumed that some latitude in the treatment of the rear range is acceptable.

2. SCOPE AND IMPACT OF THE PROPOSALS

Consent is sought for three operations:

- Installation of two vents in kitchen, with external vent covers on the rear pitch of the rear range;
- York stone paving to replace concrete paving to external seating area at front of the main range of The Plough;

- Placing of salvaged coping-stones on front curtilage wall and repointing of wall.

2.1 Vents to kitchen

A new kitchen was installed, with LBC, in the rear range as part of the earlier scheme. However the single vent as shown on the consented drawings did not comply with current health and safety legislation for such installations; and although the two vents now fitted are compliant they do not have LBC.

The two vents pass vertically upward through the rear pitch of the roof of the kitchen. In doing so each has removed the lower part of a sawn softwood common rafter of evident C19 date; no other alteration to the fabric has been required and no work to the trusses or purlins has been carried out.

The impact of this work on the roof structure of the rear range is therefore regarded as minimal.

Each vent, where it passes through the roof, has a GRP vent cover of a size and type stipulated by the regulations. The vents are only visible from the garden of the adjoining private property. The main range and the vents cannot easily be seen together, if at all, and their impact is fully reversible. Each vent cover is nevertheless to be replaced with a similar cover that is either self-coloured or powder-coated in terracotta: so that their visual impact will be minimised.

The reversible installation of two coloured vents will have only a slight impact on the character or setting of the rear range, and none at all on the main range.

2.2 Replacement of paving

The paving of the outside seating area adjoining the entrance elevation of the main range was replaced. The existing paving was of standard concrete slabs, many of which had cracked and subsided. These were wholly replaced with freshly-quarried York stone slabs.

The work to the paving of the seating area has resulted in a safer environment and has improved the setting of the listed building by the sympathetic use of natural building materials.

2.3 Placing of copings to front curtilage wall and re-pointing of wall

The low wall defining the front part of the curtilage of the listed building is built of coursed rubble and until recently was topped off with random rubble blocks set upright in hard Portland cement. This work was done by previous owners. The rubble blocks have all been replaced with a continuous coping of traditional C19 half-round blocks of local stone which have been salvaged from elsewhere.

As part of this work the curtilage wall will be raked out and the unsympathetic repointing, carried out by a previous owner, will be replaced by pointing more in character with the listed building.

This work, carried out in traditional materials, is regarded as an enhancement of the setting of the listed building.

*Colin Briden
Historic Buildings Archaeologist
February 2013*

From: Brenda Marshall
To: pm.parker@talktalk.net
Subject: Fw: The Plough - Wombledon
Date: Tue, 2 Jul 2013 15:09

----- Forwarded Message -----

From: Chris Hopper
To: [REDACTED]
Sent: Thursday, 24 January 2013, 10:35
Subject: FW: The Plough - Wombledon

Hi Brenda,

Please see e-mail from Trivent below re. extract.

If you need anything further, or require it transposing onto letter headed paper – please let me know.

Regards,

Chris Hopper


WARD'S
www.wardscatering.co.uk

RYEDALE DM

27 JAN 2013

From: Andy Cunningham
Sent: 24 January 2013 07:37
To: Chris Hopper
Cc:
Subject: The Plough - Wombledon

13/00919/ML

Kitchen Ventilation Outlets.

The existing roof penetrations located on the pitched roof of the rear elevation, at the above site, have been sized in accordance with the DW172 Specification For Kitchen Ventilation Systems. The kitchen ventilation duties have been calculated using the Thermal Convection method, for the catering equipment that has been installed, under the extract canopy.

The ductwork apertures are sized to ensure that air flow noise levels are kept to a minimum, if these are reduced in size, additional air noise will be generated and greater system pressures will be imposed on the extract and supply fans, which will result a high back ground noise level. If system pressures rise, larger fans will have to be installed to ensure the performance of the system, which will result in higher noise levels, been generated.

All kitchen ventilation outlets need a three meter separation, to ensure that the extracted air, is not recirculated back into the kitchen area.

Kind Regards,
A.Cunningham.

TRIVENT LTD.

Unit 13, Brown Place, Brown Lane West, Leeds. LS11 0EF

Registered office: As above. Registered in England & Wales N^o. 1482771

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**WARD'S
of YORK**

Unit 5 Centurion Office Park
Tribune Way, York YO30 4RY

www.wardscatering.co.uk

Brenda Marshall
The Plough Inn
Main Street
Wombledon
York
YO62 7RW

13/00919/En
RYEDALE DM

27 AUG 2015

Dear Brenda,

DEVELOPMENT
MANAGEMENT

Please find below details of the extraction system installed at the Plough Inn by Ward's of York.

As we discussed on the phone, this sort of equipment does not have a "make" or "model". It is a collection of different parts some of which are bespoke, all fitted on-site to fit the requirements of the building and the kitchen. The company which installed the system is called Trivent Ltd in Leeds.

Kitchen Extract System

1 off - 3800 Long x 1200 Wide x 600mm Deep Wall type Canopy

Wall mounted 20swg stainless steel canopy having: Four sides, top panel and condense channel. Full length grease filter assembly housing stainless steel baffle filters and grease collection facility.

4 off - 18w Low Energy Bulkhead Light Fitting (wiring not included)

1 off - 500mm Ø Sickle Blade Axial Fan 240-1-50

(Motor=0.77Kw FLC=3.4a SC=7.4a Noise Level=53 dBA @ 3m)

1 off - 6 Amp Electronic Fan Speed Controller

4M off - Galvanised MS Ductwork to HVCA Spec DW/144 & TR19

1 off - Horizontal Discharge Roof Terminal

Fresh Air Input System

1 off - 3750mm S/S Input Plenum

Full length stainless steel input plenum complete with adjustable grilles mounted adjacent to canopy fascia

1 off - 450mm Ø Sickle Blade Axial Fan 240-1-50

(Motor=0.61Kw FLC=2.8a SC=7a Noise Level=55 dBA @ 3m)

1 off - 6 Amp Electronic Fan Speed Controller

1 off - G4 Grade air filter assembly

3M off - Galvanised MS Ductwork to HVCA Spec DW/144 & TR19

1 off - Horizontal Discharge GRP Roof Terminal

S/S Wall Cladding

1 off - 5000x2000mm S/S Wall Cladding

Gas Interlock Etc

1 off - 2 Fan Gas Interlock Current Monitor 240-1-50

Note: Solenoid valve and all electrical wiring to be supplied and installed by others. All connections to vault free contacts i.e. fire alarm; remote knock offs etc to be wired in screened cable.

1 off - 2nd fix wire and commission

Wire and commission 2# Fans, Controllers, Interlock panel and canopy lights from suitably fused power supplies provided within one metre of equipment.

I hope this helps.

Regards

Neil
Ward's

Agenda Item 12

Item Number: 12
Application No: 13/00920/LBC
Parish: Wombledon Parish Council
Appn. Type: Listed Building Consent
Applicant: Mrs B Marshall
Proposal: Installation of 2no. kitchen extract ventilation system cowls on south facing roofslope, addition of coping stones to front curtilage wall and laying of York stone paving to front seating area
Location: Plough Inn Main Street Wombledon Kirkbymoorside YO62 7RW

Registration Date:
8/13 Wk Expiry Date: 22 October 2013
Overall Expiry Date: 25 September 2013
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council Object
Building Conservation Officer No objection

Neighbour responses: NS & EJ Walters, Christine Hartup, Andrew And Carol Graham,

SITE:

The application site comprises a Public House; The Plough, which is a Grade 2 listed building. The site is located within both the Conservation Area and the development limits of Wombledon. The site is positioned on Main Street with its side elevation fronting onto Page Lane.

PROPOSAL:

Listed Building Consent is sought for the installation of 2 no. kitchen extract ventilation system cowls on the south facing roof slope, together with the addition of coping stones to the front curtilage wall and the laying of York stone paving to front seating area. This application is retrospective, as both elements of the proposed works have already been undertaken. However, the works remain unauthorised until such time as consent is granted.

Accompanying this application is a Heritage Statement prepared by Colin Briden on behalf of the applicant's and is available to view online.

HISTORY:

3/154/48/PA: Change of use and alterations to bottle store room to form pool room - Approved 11.12.86

3/154/48A/LB: Listed building application for the erection of 4 external steps, a landing and doorway - Approved 05.01.87

3/154/48B/FA: Change of use, alterations and first floor extensions to form a self contained apartment - Approved 11.10.88

3/154/48C/LB: Extension, internal and external alteration of outbuilding to form a dwelling - Approved 11.10.88

3/154/48D/FA: Siting of LPG tank - Approved 07.11.90

11/00842/FUL: External alterations to include erection of pitched roof over existing flat roofed toilet area, increase in pitch of stone roof with 3 no. conservation roof lights and alteration to end door, replacement of some windows and external doors, installation of 2 no. toilet windows and external flue - Approved 02.11.2011

11/00873/LBC: External and internal alterations to include erection of pitched roof over existing flat roofed toilet area, increase in pitch of stone roof with 3 no. conservation rooflights and alteration to end door, removal of porch, replacement of some windows and external doors, installation of 2 no. toilet windows and external flue, formation of internal opening, replacement of car park elevation windows with Yorkshire sliding sash, re-rendering or whitewashing of front elevation and replacement of front door - Approved 03.11.2011

13/00919/FUL: Installation of 2 no. kitchen extract ventilation system cowls on south facing roof slope and addition of coping stones to front curtilage wall (retrospective application) - Pending

POLICY:

National Planning Policy Framework 2012

Ryedale Plan – Local Plan Strategy:

Policy SP12 - Heritage

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

APPRAISAL:

The main considerations in relation to this application are:

- Whether the proposal will result in any substantial harm to the Grade 2 listed building?

The Heritage Statement makes reference to the rear projecting wing being a later addition and of lesser historic value. The part of the building fronting Main Street is the most significant part of the listed building with its origins understood to be from 1598.

The proposed ventilation units are located on the southern roof slope of a rear wing and are not visible from any public vantage points, only from neighbouring garden areas. They are required to ventilate the kitchen and allow the onus of The Plough to provide food to customers. This will assist with the offer from the Public House and help secure its long term retention in the village. The two ventilation cowls are coloured terracotta to relate as closely as possible to the existing pantiled roof.

The proposed paving slabs and coping stones are considered to represent a relatively minor alteration to the front courtyard area. They are not considered to have a detrimental impact upon the character, setting or fabric of the listed building. The changes proposed are considered to improve the front area and its attraction for outside use by patrons of the Public House.

The Council's Building Conservation Officer has no objection stating "The proposal due to its location is not considered to adversely impact on the special character of the listed building. The mitigation in terms of the colour of the cowls help reduce the overall impact of the development".

In view of the above it is considered that the proposals will have less than substantial harm, and that there are clear public benefits from the scheme in terms of the continued operation of the existing Public House.

The Parish Council has objected to the application on the grounds of the proposal being retrospective. This is not a material planning consideration. The Parish Council also objected to the appearance of the outdoor seating area in the front courtyard together with residential amenity objections regarding the proposed ventilation system. Residential amenity concerns are not material planning considerations in respect of this Listed Building Consent. The proposed alterations to the front courtyard area have been appraised above, and there are considered to be no grounds to refuse the application on this basis. The Parish Council's has also commented about the length of time taken to submit this application from the time a complaint was received. This is noted but it is not a material consideration.

There have been two letters of support, and one letter of objection. These letters are available to view on the Council's website. The issues raised insofar as being material considerations on this Listed Building Consent application are appraised in this report.

In view of the above it is recommended that consent is granted retrospectively for the proposals.

RECOMMENDATION: **Approval**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties

Location Plan 1:1250

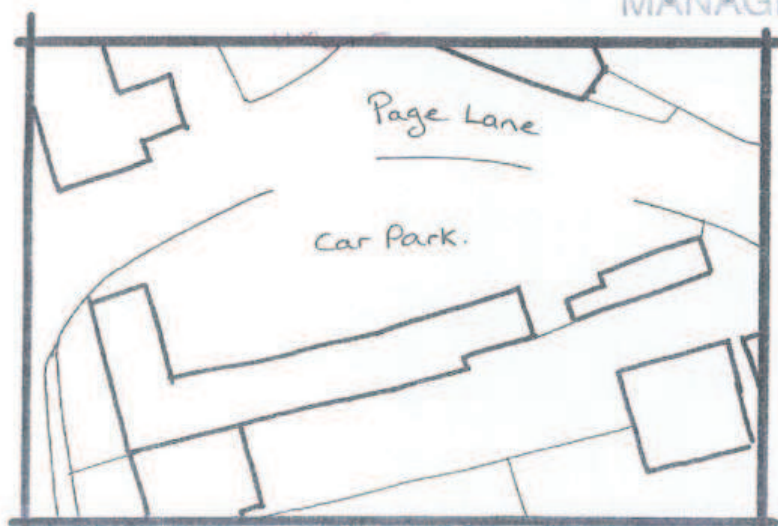


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13/00919/F46

RYEDALE DM

27 AUG 2013

DEVELOPMENT
MANAGEMENT

Agenda Item 13

Item Number: 13
Application No: 13/01099/OUT
Parish: Broughton Parish Meeting
Appn. Type: Outline Application
Applicant: Mr T Piercy
Proposal: Erection of 1 no. dwelling (site area 0.0282 ha)
Location: Land Adj To Dhekelia Moor Lane Broughton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 9 December 2013
Overall Expiry Date: 29 November 2013
Case Officer: Charlotte Cornforth **Ext:** 325

CONSULTATIONS:

Parish Council	Comments on amended plans awaited
Yorkshire Water Services	Comments made
Environmental Health Officer	Recommend informative
Parish Council	Object
Highways North Yorkshire	Recommend conditions

Neighbour responses: Mr Rodger Slape, PF And M Clark,

SITE:

The application site is located within the 'saved' development limits of Broughton, a settlement located to the west of Malton. The site is adjacent to Moor Lane and the land is currently part of the curtilage of the property to the north of the site, 'Dhekelia'. It is considered to be an 'infill development' within an 'other village' category as defined within the Ryedale Local Plan Strategy.

PROPOSAL:

Erection of 1 no. dwelling (site area 0.0282 ha). The application is outline with all matters reserved. Illustrative plans have been submitted to show how the site could be developed.

APPRAISAL:

The main considerations to be taken into account when considering this proposal are the following:

- i. The principle of development
- ii. Local Needs Occupancy
- iii. The siting of the proposed dwelling
- iv. Access and highway safety
- v. Whether there is sufficient level of residential amenity
- vi. Impact upon neighbouring amenities
- vii. Impact upon the street scene
- viii. Water supply and waste water
- ix. Land contamination
- x. Public Open Space contribution

i. The principle of development

The proposed outline for a dwelling is on a site located within the development limits of Broughton. In principle, such infill residential development within the built up frontage of the village, is supported by Policy SP2 of the Local Plan Strategy.

ii. Local Needs Occupancy

The proposed dwelling is located in an 'other village' as identified in the Local Plan Strategy and if approved will be subject to a Local Needs Occupancy condition to satisfy Policies SP2 and SP21. It is proposed that the dwelling will be a single storey bungalow, (with potential for extra accommodation in the roof void). This type of development would be supported by Policy SP4 of the Local Plan Strategy as there is a noticeable short fall of bungalows across the Ryedale District.

iii. The siting of the proposed dwelling

The first submitted plan outlined a bungalow, with its gable end facing Moor Lane. It measured 5m in width and 10m in depth. It was proposed to be positioned 5m from the front, western boundary and 2m from the southern neighbouring property of 'Westway'. A driveway measuring 3m in width is proposed along the northern boundary of the site, adjacent to the property 'Dhekelia' leading to a detached ridge parallel garage positioned on the rear northern boundary, measuring 5m in width and 3.5m in depth. It can be accessed by the northern elevation of the detached garage. The bungalow will be limited to single storey, with the potential for extra accommodation in the roof voids.

Objections to the proposal have been raised from a neighbour regarding the siting of the property; with it not being in keeping with other properties in Broughton because its roof ridge was not parallel to Moor Lane. Further concerns include highway safety. A vehicle would not be able to execute a full turn within the curtilage; meaning vehicles will have to exit the drive by reversing onto Moor Lane. Broughton Parish Council also raised objections regarding highway safety and the reversing of cars onto Moor Lane.

Following a site visit by the Case Officer and consideration of the above objections, a letter was sent to the agent outlining the concerns and stating that in order to determine the application further, details regarding the siting and means of access would need to be submitted. This request was made under the requirements of The Town and Country Planning (General Development Procedure) Order 1995, Article 3. (2). The concerns were also raised regarding the bungalow not being ridge parallel to Moor Lane like the other bungalows along the street scene, including the neighbouring property of 'Westway'. Concerns were also raised regarding the detached garage to the rear. The applicant was advised that it should be located on the northern boundary so that it mirrors the neighbouring detached garage of 'Dhekelia'. It was also stated that in order for the Council's Asset Management Surveyor to calculate a Public Open Space Contribution, an indicative layout plan of the bungalow would need to be submitted.

Following this letter, a revised outline plan was submitted. Members should note that the outline proposal now includes the intended siting and access arrangements, leaving the further details of design, external appearance and the landscape of the site to the reserved matters stage. The plan outlines the bungalow being ridge parallel to 'Moor Lane', mirroring the neighbouring property of 'Westway', in an 'L' shaped form. It is proposed to measure 7.9m in width along the front elevation, with a depth of 6.5m. The added extension to the rear is proposed to measure 3.5m in width and 3.2m in depth. The outline permission is now proposed to allow for a vehicular turning area to the front of the bungalow, measuring 3.5m in width. The driveway is now proposed to be 3.1m in width and the detached garage is proposed to mirror the neighbouring garage of Dhekelia, with access directly onto the driveway and consequently allow an area to turn to the front of the bungalow, preventing direct reversing onto Moor Lane.

iv. Access and highway safety

The Highway Authority has stated no objection to the revised outline plan and has advised that conditions should be attached to any decision regarding verge crossings, private access, visibility splays, parking and the precautions to prevent mud onto the highway. Objections regarding highway safety (that were raised from a neighbour and Broughton Parish Council with regard to the original submitted plans) are considered not sufficient to warrant a refusal on the basis of highway safety in light of the Highway Authority's stated position. The neighbours and Broughton Parish Council have been re-consulted on 15th November 2012 on this revised outline plan and no responses have been received to date.

v. Whether there is sufficient level of residential amenity

The property is considered to have sufficient residential amenity to the rear and to the front of the property as shown on the amended layout plan.

vi. Impact upon neighbouring amenities

The front of the property will be positioned 1.85m from the southern boundary of the neighbouring property Westway and the rear will be positioned 0.6m from the same property. Due to the bungalow only being single storey (with the potential for accommodation in the roof void) there will be minimal impact upon neighbouring amenities in terms of the bungalow being overbearing in presence or causing loss of sunlight and daylight.

vii. Impact upon the street scene

The bungalow is designed with its ridge parallel to Moor Lane which is sympathetic to other properties in close proximity to the site. Officers consider that the proposal is acceptable and has no adverse impact upon the street scene of Moor Lane, Broughton.

viii. Water supply and waste water

Yorkshire Water have stated that a water supply can be provided to the site and with regard to waste water, the information that was provided by the application means that no further observations were not required by them.

ix. Land contamination

A land contamination screening assessment has been submitted, along with the Landmark Historic Database. This does not identify any use or historic use which may have resulted in potential land contamination. Therefore, no further investigation is necessary. The Environmental Health Technical Officer has advised that an informative should be attached to any decision to ensure that any unforeseen contamination is notified to the Local Planning Authority and an informative regarding construction hours is also attached to any decision to help reduce disturbance to neighbouring properties.

x. Public Open Space contribution

SP11 of the Local Plan Strategy states that all new residential development will be expected to contribute to the provision of Public Open Space, recreation and leisure facilities. The Council's Asset Management Surveyor is currently appraising the amended plan and the Public Open Space commuted sum will be reported on the late papers at the meeting.

In light of the above considerations, the outline proposal for a bungalow, including consideration of the siting and access arrangements, reserving the further details of design, external appearance and the landscaping of the site to the reserved matters stage is considered to satisfy the relevant policy criteria

outlined within the National Planning Policy Framework. Policies SP1, SP2, SP4, SP11, SP16, SP19, SP20 and SP21 of Local Plan Strategy are also satisfied. The proposal is therefore recommended for approval subject to the following conditions and a legal agreement relating to Public Open Space contributions.

National Planning Policy Framework

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy -Policy SP11 Community Facilities and Services

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

RECOMMENDATION:

Approval

- 1 Application for approval of reserved matters shall be made to the Local Planning Authority not later than .

The development hereby permitted shall be begun on or before whichever is the later of the following dates:-

The expiration of two years from the final approval of the reserved matters or (in the case of approval on different dates) the final approval of the last such matters approved.

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place without the prior written approval of the Local Planning Authority of all details of the following matters:-

(i) the scale and appearance of every building, including a schedule of external materials to be used

(ii) the landscaping of the site

Reason:- To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

- 3 The dwelling hereby approved shall only be occupied by a person(s) who:

- Have permanently resided in the Parish, or adjoining parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock;
or

- Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the parish after leaving military service;
or

- Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years;
or

- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.

Reason:- To meet the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

4 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii)(c) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.

(v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with details that shall be submitted, and agreed in advance, of the commencement of the development and maintained thereafter to prevent such discharges.

(vi) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy; and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

5 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility through to and parallel along the application site fronting Moor Lane unclassified county highway measured from a point measured 2.4 metres; down the centre line of the access road. The eye height will be 1.05 metres; and the object height shall be 1.05 metres;. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and in the interests of road safety.

6 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2 metres x 2 metres measured down each side of the access and the back edge of the footway of the major road have been provided. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy; and the interests of road safety to provide drivers of vehicles using the access and other users of the public highway with adequate inter-visibility commensurate with the traffic flows and road conditions.

7 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing MP/2013/B/2/1A;. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy; and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

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

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

- 9 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy; and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

- 10 The outline permission hereby approved shall be single storey only as indicated on drawing number MP/2013/B/2/1A. additional accommodation may be accommodated in the roofspace subject to approval of the reserved matters required by condition no.02 above.

Reason:- In the interests of protecting the existing amenities of neighbouring occupiers, and to satisfy the requirements of Policy SP4 of the Ryedale Local Plan Strategy.

- 11 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of SP16 and SP20 of the Ryedale Local Plan Strategy.

- 12 Before any part of the development hereby approved commences, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show

areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved.

- 13 During the site preparation and construction phase, all works and ancillary operations which are audible at the site boundary should be restricted to between the hours of 8am and 6pm on Mondays to Fridays and between the hours of 8am and 1pm on Saturdays and at no time on Sundays and Bank Holidays.

Reason:- To protect the amenity of adjoining neighbours and to satisfy Policy SP20 of the Ryedale Local Plan Strategy.

- 14 Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Class H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

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

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

Background Papers:

INFORMATIVES:

1. During the development any unforeseen contamination found should be notified to the Local Planning Authority and work cease until the extent of the contamination has been investigated and remedial action, which has been agreed in writing with the Local Planning Authority has been completed.
2. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
3. An explanation of terms used above is available from the Highway Authority.
4. An explanation of the terms used above is available from the Highway Authority.

**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250**

CENTRE COORDINATES: 476769, 473378



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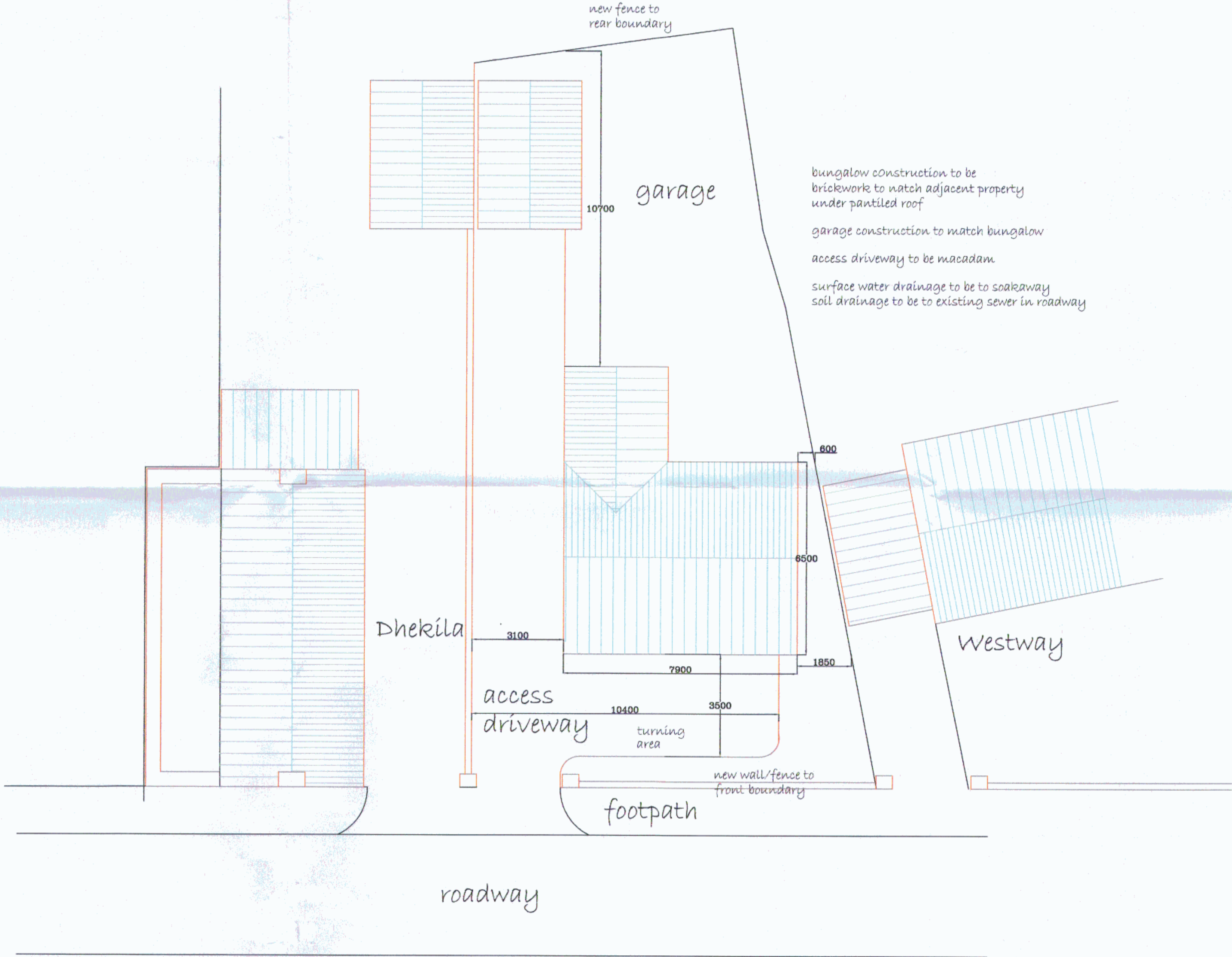
RYEDALE DM

25 OCT 2013
DEVELOPMENT
MANAGEMENT

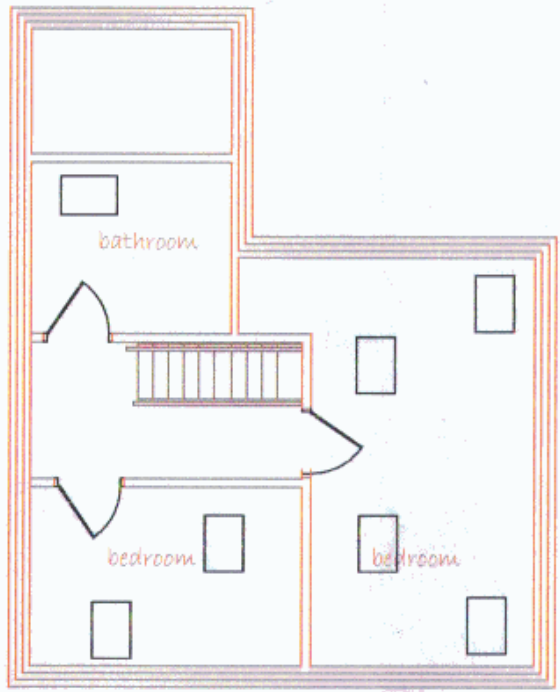
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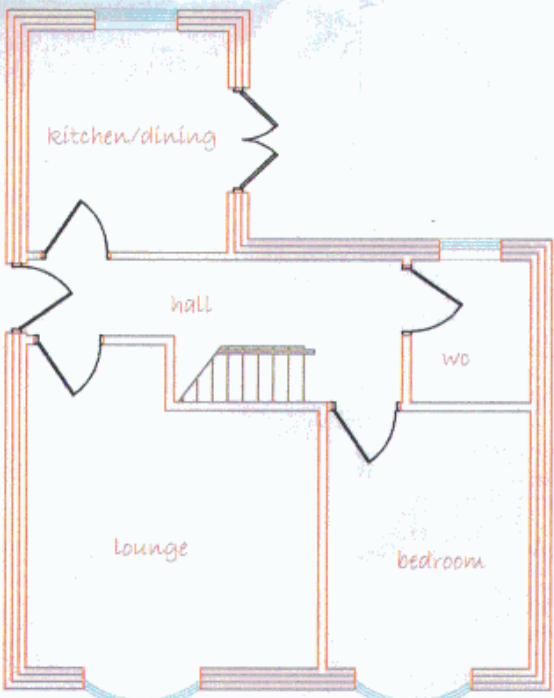
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Do not scale from this drawing, only written dimensions are to be used
any other dimension are to be checked prior to work commencing
Extent of work shown does not indicate that an asbestos survey has
been carried out and reference should be made to the client for this
information prior to work commencing



SITE PLAN



First Floor Plan



Ground Floor Plan

INDICATIVE LAYOUT

REVISED PLAN

RYEDALE DM

11 NOV 2013

DEVELOPMENT MANAGEMENT

Revisions			

A site plan amended layout plans added RTL Nov 13

SERIES ONE DESIGN ASSOCIATES
Architectural Design
Bishopthorpe York

Tel 07956326503 e-mail rtleathley@hotmail.co.uk

DRAWING TITLE
PROPOSED BUNGALOW
DHEKELIA
BROUGHTON
MALTON
YO17 6QJ

SITE PLAN AS PROPOSED
INDICATIVE PLANS

SCALE 1/100	DATE SEPT 2013
DRAWING NUMBER MP/2013/B/2/1A	

Supporting Statement For Land Adjacent to Dhekelia Broughton

RYE & J. DM

14 OCT 2013

DEVELOPMENT
MANAGEMENT

13/01099/aut

Prepared by

R T Leathley
Series One Design Associates
7 The Orchard
Bishopthorpe
York
YO23 2RX

S.O.D.A

Page 1

Contents

Introduction

- 1) Introduction
- 2) The Site
- 3) Analysis/Design
- 4) Use
- 5) Layout/External works
- 6) Access

1) Introduction

The scheme under consideration is the construction of a bungalow on the derelict garden to the south of the detached house known as Dhekelia (which is currently being renovated.)

2) The Site

The site is located in the village of Broughton a rural settlement to the west of Malton. The site faces the main street through the village and is flat and currently derelict.

The road boundary is currently formed by a wooden fence in disrepair with a post and rail fence to the boundary adjoining bungalow, Westways

The site falls within the village development area and utilises the concept of 'infill development' indicated within the local plan strategy and addresses the 'noticeable shortfall in flats and bungalows indicated in 4.48 in section 4 (Housing) of the plan

It also falls within the concept of 'limited small scale housing growth' and the 'strong demand for housing' for the area mentioned in Section 3 of the local plan strategy

3) Analysis/Design

The proposal is to construct a bungalow as indicated on the accompanying plan with a detached garage to the rear.

It is intended to construct the bungalow in brickwork to complement the adjacent property (Westways) with a pantile roof

The scale and appearance is being reduced by the construction of a bungalow, to avoid an overbearing appearance in the street scene

The site outside any flood zone area as indicated on the environment agency's flood plan maps

Access to Malton is available by public transport on the main road.

The proposal will adhere to:-

National Planning Policy Framework 2012 in particular

Section 3 supporting a prosperous rural economy

Section 6 delivering a wide choice of high quality homes in particular paragraphs
48 and 50

Section 7 requiring good design

Building Regulations Approved Document

4) Use

- a) The building is to be for domestic occupation

5) Layout

The proposed layout is shown on the accompanying drawings presented with this application.

6) Access

As indicated on the drawing access would require an enlargement of the existing dropped kerb access to Dhekelia.

PARISH COUNCIL

CC

OBJECT

2 Manor Park
Broughton
Malton
YO17 6QL
5.11.13

- 6 NOV 2013

DEVELOPER
MANOR PARK

61
6/11

Dear Mrs Hood

Re Application No. 13/01099/OUT, erection of one dwelling on land adjacent to Dhekelia, Moor Lane, Broughton, Malton, YO17 6QJ

At our Parish Meeting held on 31st October 2013 we discussed the above application. I write to pass on the observations and comments made at this Meeting.

We consider that this application is contrived, being deliberately presented so as to convey the impression that the developer is doing us all a favour by building on this site.

Four times we are told that the land is "derelict"; it wasn't before Dhekelia was renovated. It used to be a pleasant, well maintained garden (Google Street View, YO17 6QJ) but the tipping of soil, rubble and a significant number of bonfires to remove the large amounts of wood from the Dhekelia project have ensured a rapid transformation.

The mention of bonfires in the previous paragraph reminds me to point out that the person filling in the Screening Assessment Form should have ticked the "yes" box when asked about their waste disposal activities.

Why is there no rear boundary line drawn on the plan to show the limit of Dhekelia's plot? Is it an attempt to imply that there is more land beyond the end of the garage? The end of the plot is just beyond the garage back wall.

Where is the telephone pole on the plan? Will it have to be re-located in order to allow access to the new build?

There is much use of the word "bungalow". We are told that "the scale and appearance is being reduced by the construction of a bungalow, to avoid an overbearing appearance in the street scene". According to the plan the bungalow will measure 10 metres by 5 metres and have three bedrooms. We look forward to seeing the detailed plan showing how this is to be achieved in such a small area. A cynic would add that in all

probability the final application to build will mention a dormer bungalow. This is hardly avoiding an overbearing appearance!

However, our main objection is on the grounds of safety.

Any car reversing out of either drive will have a blind exit because the end wall of Dhekelia is up to the footpath. This problem is exacerbated, with the many cars already parked in Moor Lane because four nearby cottages only have on-street parking. Moor Lane is a narrow road and for many it is the only way in and out of the village and hazardous enough already.

When the renovation of Dhekelia is finished it will be a good sized family home. If planning permission is granted for this bungalow then we are of the opinion that a lack of garden space for the incoming children to play coupled with extra cars parked on the road will lead to a greater risk of an accident in Moor Lane.

Indeed, in the Minutes of our Business Meeting held on 18.4.2013 we read:

“Concern was expressed about the number of children on bikes playing on Moor Lane and being oblivious to passing traffic.

Concern was expressed about the speed that some adults drove up and down Moor Lane”.

Broughton Parish Meeting is opposed to this application.

Yours sincerely

John Horsman
Clerk, Broughton Parish Meeting
broughton.parish@gmail.com

Item Number: 14
Application No: 13/01235/FUL
Parish: Harome Parish Council
Appn. Type: Full Application
Applicant: Mrs E Sylvia Andrews
Proposal: Change of use and alteration of stable block to form a one bedroom holiday cottage, to include erection of a single storey extension to south elevation and installation of 3 no. rooflights to north elevation
Location: Plumwood Main Street Harome York YO62 5JF

Registration Date:
8/13 Wk Expiry Date: 23 December 2013
Overall Expiry Date: 12 December 2013
Case Officer: Edward Senior **Ext:** 329

CONSULTATIONS:

Yorkshire Water Services	Observations made regarding surface water
Environmental Health Officer	No comments to make
Building Conservation Officer	No objection in principle - some design concerns
Countryside Officer	No views received to date
Parish Council	Recommend approval
Highways North Yorkshire	No objections recommend conditions
Parish Council	No views received to date on the amended plans

Neighbour responses: Michael Rogers & Carole Cooper, Malcolm Joyce, Keith And Barbara Bowskill, Mr And Mrs B And M Wardle, AR And L Pickard, Ms Sally Wilson, Morag Joyce, Mr & Mrs Joyce,

SITE:

The site lies to the north side of Main Street and is accessed from Back Lane. The site comprises an existing stable building, which is located outside of the 'saved' development limits for the settlement, within the open countryside. The site is also situated within the Harome Conservation Area.

PROPOSAL:

Planning permission is sought for the change of use and alteration of a stable block to form a one bedroom holiday cottage, to include the erection of a single storey extension to the south elevation and the installation of 3 no. rooflights to the north elevation

HISTORY:

13/00087/FUL - Change of use and alteration of stable block to form a one bedroom holiday cottage, to include erection of single storey extension to south elevation and installation of 3no. rooflights to north elevation. Application withdrawn.

POLICY:

National Planning Guidance

National Planning Policy Framework

Ryedale Local Plan Strategy

Policy SP8 – Tourism
Policy SP9 – The Land-Based and Rural Economy
Policy SP12 – Heritage
Policy SP16 – Design
Policy SP19 – Presumption in favour of sustainable development
Policy SP20 – Generic Development Management Issues
Policy SP21 – Occupancy Restrictions

APPRAISAL:

Members will note that a similar application was submitted in early 2013, which was withdrawn by the applicant to allow the opportunity to respond to officer's concern in relation to the scale and design of the proposed building and its impact on the character of the designated conservation area.

Several letters of objection have been received from local residents, raising the following issues:-

- The proposed development would be outside of the development limits
- The development would set a precedent for further similar developments
- The existing building may not withstand the proposed development, requiring total rebuild
- The design would have an adverse impact on the character of the existing building
- The development would not follow the traditional building line
- Overlooking of neighbouring properties
- Hours of work during the construction phase
- Drainage
- Impact on protected bat species
- Back Lane cannot accommodate the additional traffic

One letter of support has also been received

The main considerations to be taken into account are:-

- i) Principle of the proposed development;
 - ii) Character and appearance;
 - iii) Impact upon residential amenity;
 - iv) Impact upon the conservation area;
 - v) Ecology; and
 - vi) Highway safety
- i) Principle of the proposed development

Paragraph 28 of the National Planning Policy Framework states that:-

'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;'*

This is covered by Policies SP8 and SP9 of the Ryedale Local Plan Strategy, which support the re-use and conversion of traditional rural buildings in the wider open countryside for tourism uses. Some letters of objection make reference to the fact that the proposal would involve extension to the existing building, and would not be a conversion of the building in its current form.

The Local Plan Strategy does not preclude extensions to rural buildings which are to be converted to tourism uses. Policy SP16 of the Local Plan Strategy states that:

'In considering proposals for the alteration, re-use or extension of individual historic buildings, the Council will seek to ensure that:

A building is capable of conversion to the use proposed without the need for extensions or alterations that would be detrimental to its character.'

It is therefore considered that the proposed development would be acceptable in principle, subject to any extension not being detrimental to the character of the existing building and satisfying all other relevant development management issues.

ii) Impact upon the conservation area

The previous application at the site was withdrawn following concerns in terms of the scale and design of the extension in relation to the host building. The proposed extension has been significantly reduced in size, from approximately 8m in length previously to 4m in length. The Building Conservation Officer has been consulted on the current application and raised no objections in principle, but raised some concerns with the design of the proposed porch. The scheme has since been amended to incorporate a 2m x 2m mono-pitch porch to the south elevation. The revised design is considered to be more acceptable, having a sympathetic relationship to the modest scale of the host building. The proposal is also considered to be of a simple, traditional design which reflects the character of the existing building and other outbuildings elsewhere in the conservation area. The Building Conservation Officer has confirmed that the previous concerns have been addressed by this amendment. The Parish Council and neighbours have been reconsulted on this minor change to the design and Members will be notified of any further consultation responses received at the meeting in response to the consultation, which is due to expire on 12 December 2013.

The Building Conservation Officer considers that the proposals preserve the existing appearance of the conservation area as the general form, appearance and contribution the building makes to the character of the conservation area is maintained. The change of use of the outbuilding and associated alterations would cause some very mild harm to the charming and ramshackle appearance of the building. However, this must be balanced against the proposed repair to the building to bring about its new use. As such, the scheme overall is considered to preserve the character of the conservation area, and comply with Policy SP12 of the Ryedale Local Plan Strategy.

iii) Impact upon residential amenity

Objections have been received on the grounds that the development would allow overlooking of neighbouring properties on Main Street from the proposed holiday cottage. The holiday cottage would be located approximately 30m from the nearest neighbouring residential properties and is single storey only. Furthermore, light entering the building would predominantly be from high level rooflights, with few windows serving the building. The existing curtilage of the dwelling is bounded by close boarded fences and it is considered that the holiday cottage would be a sufficient distance from the neighbouring properties to have no significant adverse impact on neighbour amenity.

The drainage proposals have been queried by Yorkshire Water and a neighbour. The applicant's agent has confirmed that surface water will drain to soakaway. It is not considered that there will be a significant increase in surface water as a result of the proposed development and as such, this will not adversely affect the amenity of nearby residents.

Ecology

A Bat Survey (May 2013) has been submitted with the application, which was also submitted with the original submission. No consultation response has been received from the Countryside Management Officer to date on the revised application. However, a condition was recommended on the previous application in response to the Bat Survey and it is anticipated given the nature of the amendments, that the previous response of the Countryside Management Officer will still apply. However, Members will be updated on this aspect at the meeting.

Highway safety

The site would be accessed from Back Lane which is narrow and which runs to the north of the building. The highway safety aspect of the application has been considered by the Local Highway Authority who has raised no objections, subject to conditions. The Local Highway Authority considers that the development would be small scale in terms of traffic generation and conditions have been recommended to include a passing facility to deal with the increased risk of two vehicles meeting on Back Lane as a result of the proposed development.

The Parish Council has raised no objections to the proposed development.

In view of the above, it is considered that the development would comply with the National Planning Policy Framework and the Policies of the Ryedale Local Plan Strategy. Accordingly, the recommendation is that the application be approved, subject to the receipt of no further adverse comments in response to the ongoing consultation process.

RECOMMENDATION: Approve subject to expiry of re-consultation period

- 1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

(NB Pursuant to this condition the applicant is asked to complete and return the attached proforma before the development commences so that materials can be agreed and the requirements of the condition discharged)

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Local Plan Strategy

- 3 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Local Plan Strategy

- 4 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The submitted plans and/or accompanying schedules shall indicate details of all hard and soft landscaping, including numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Ryedale Local Plan Strategy

- 5 Prior to the commencement of the development hereby approved, details of any new mechanical extraction and soil and vent pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with submitted details.

Reason:- To preserve the character of the Harome Conservation Area and to comply with Policy SP12 of the Ryedale Local Plan Strategy

- 6 Prior to the commencement of the development hereby approved, precise details of any external lighting associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the submitted details.

Reason:- To preserve the character of the Harome Conservation Area and to comply with Policy SP12 of the Ryedale Local Plan Strategy

- 7 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(ii)(b) The existing access shall be improved by re-constructing (the remaining verge between the passing place and the site boundary) in accordance with Standard detail E9-A.

(vi) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 8 Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the following highway works have been constructed in accordance with the approved details.

1. The access works shall incorporate a passing place that shall achieve a minimum carriageway width of 5.0m (overall) x 6.0m in length with 30 degree entry/exit tapers and constructed in accordance with standard passing place detail Dev. 4959/2/spec

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and in the interests of safety and convenience of highway users.

- 9 Notwithstanding the provision of any Town & Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on 1:500 Block Plan for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

- 10 Prior to the commencement of the development hereby permitted, details of all external joinery including plans at 1:10 scale, cross sections, depth of reveal and details of paint finishes shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and to satisfy the requirements of Policy SP12 of the Ryedale Local Plan Strategy.

- 11 Prior to the commencement of the development hereby permitted, a schedule of external repair works to the existing building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character of Harome Conservation Area and to comply with Policy SP12 of the Ryedale Local Plan Strategy

- 12 The development hereby approved shall be carried out in accordance with the method statement and mitigation set out in Section 7 of the submitted Protected Species Report (Wold Ecology Ltd, May 2013).

Reason:- In order to ensure that there is adequate knowledge of and protection of these protected species identified in the Wildlife and Countryside Act and to comply with Policy SP14 of the Ryedale Local Plan Strategy.

- 13 The accommodation hereby approved shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence.

Reason:- In order to ensure that the building does not become a separate residential dwelling and to ensure compliance with Policy SP2 and SP21 of the Ryedale Local Plan Strategy.

- 14 The accommodation hereby approved shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 31 days.

Reason:- In order to ensure that the building is available for its intended use and does not become a separate residential dwelling and to comply with Policy SP2 and SP21 of the Ryedale Local Plan Strategy.

- 15 The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising at all times, which shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason:- In order to ensure that the building is available for its intended use and does not become a separate residential dwelling and to comply with Policy SP2 and SP21 of the Ryedale Local Plan Strategy.

- 16 The holiday unit hereby approved shall be retained in the same ownership as the property currently known as Plumwood, Main Street, Harome and shall not be sold or let off separately.

Reason:- In order to retain an adequate level of amenity for the occupants of the host dwelling and to accord with Policy SP20 of the Ryedale Local Plan Strategy.

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

Drawing No. 6904_02 P11 Rev C.

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

INFORMATIVES:

- 1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 2 The applicant/developer is advised that a Natural England Protected species license is required for the proposed development as a bat roost has been detected in one of the barns.

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties

LOCATION PLAN
PLUMWOOD - HAROME
1:1250 @ A2

Ordnance Survey®
OS Sitemap®

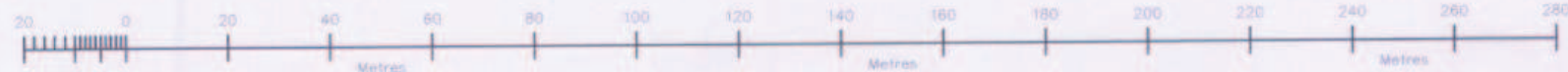
Eastings
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Northings
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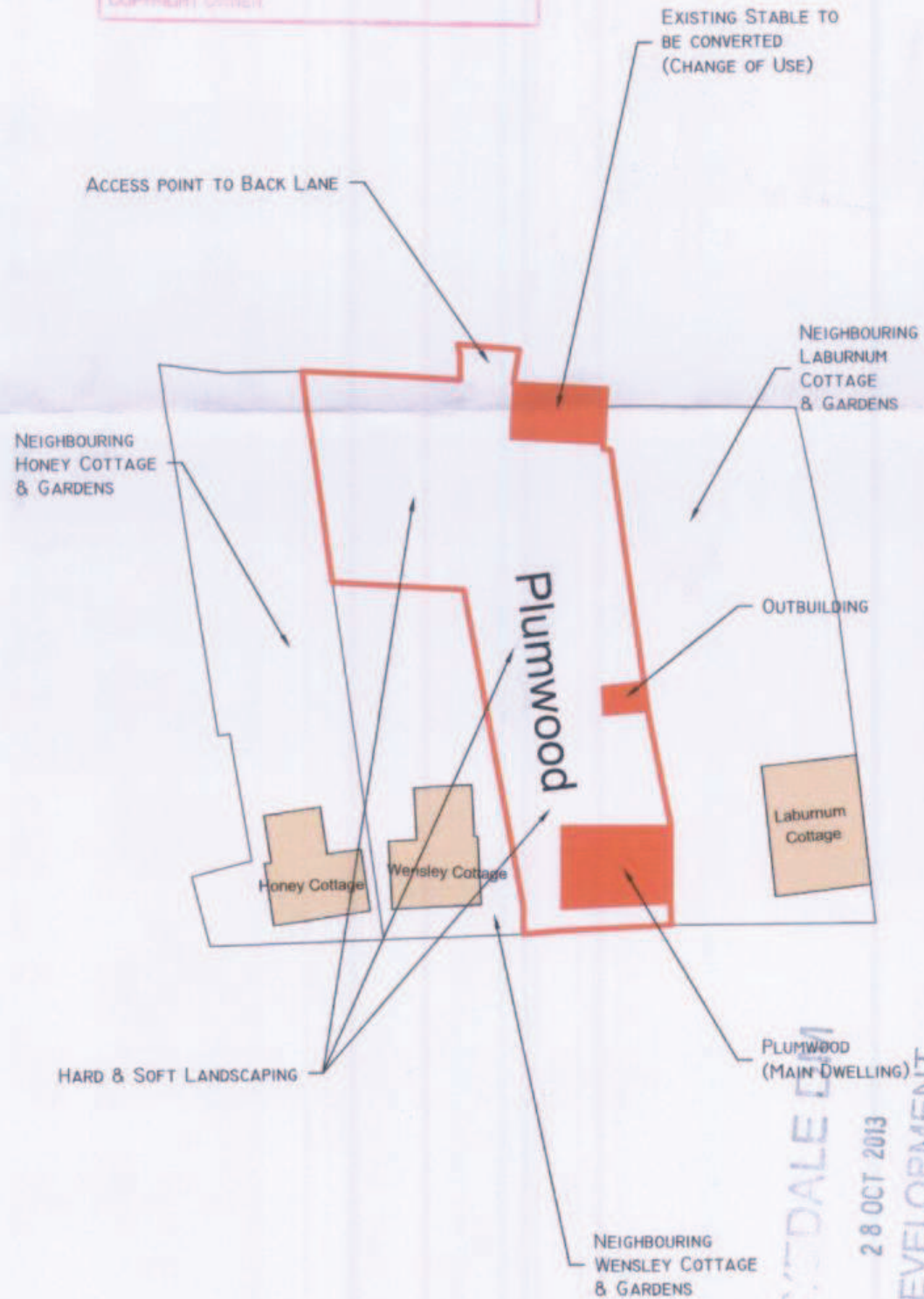


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BLOCK PLAN
PLUMWOOD - HAROME
1:500 @ A2

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PGS

26.10.13

ISSUED FOR APPROVAL

PGS

APPROVAL

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THE OLD CHAPEL
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NORTH YORKSHIRE
YO62 6AR

CLIENT

MRS ANDREWS
PLUMWOOD

PROJECT

STABLE
CONVERSION

TITLE

BLOCK & LOCATION
PLANS

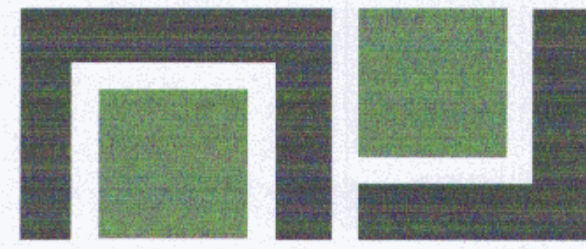
PGS	-	-
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6904_02	SI0	A

28 OCT 2013
DEVELOPMENT
MANAGEMENT

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NOTES:

REV	DATE	DESCRIPTION	APP	CHK
C	27.11.13	PORCH REVISION	PGS	-
B	21.10.13	ISSUED FOR APPROVAL	PGS	-
A	15.10.13	ISSUED TO CLIENT	PGS	-



moliorgreen
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STATUS: APPROVAL

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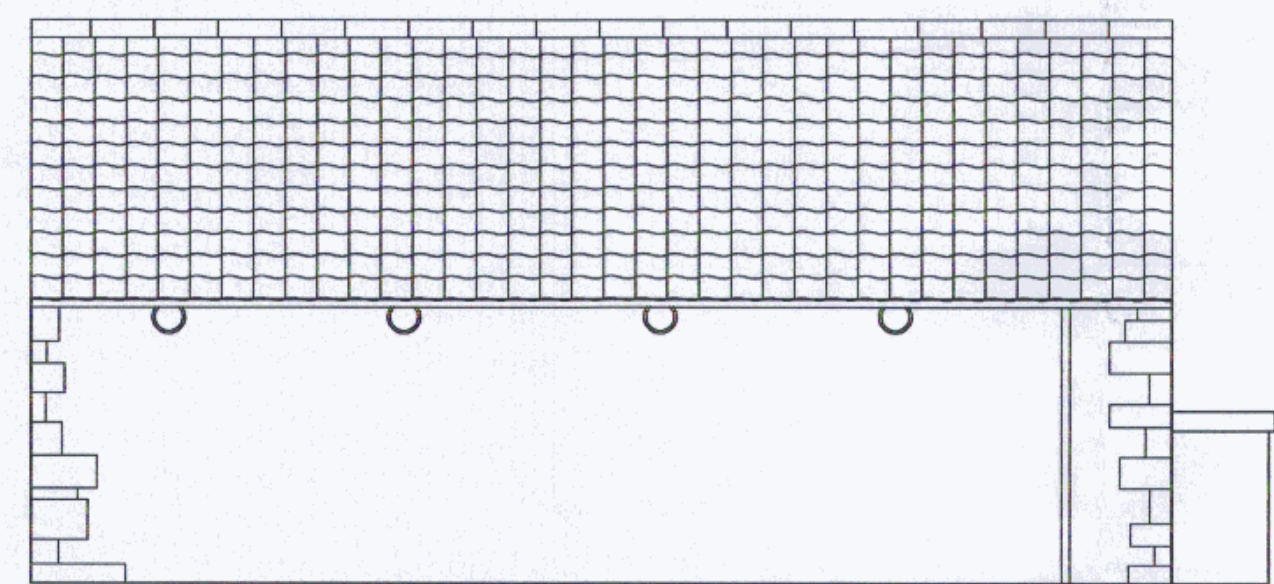
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PLUMWOOD

PROJECT: STABLE
CONVERSION

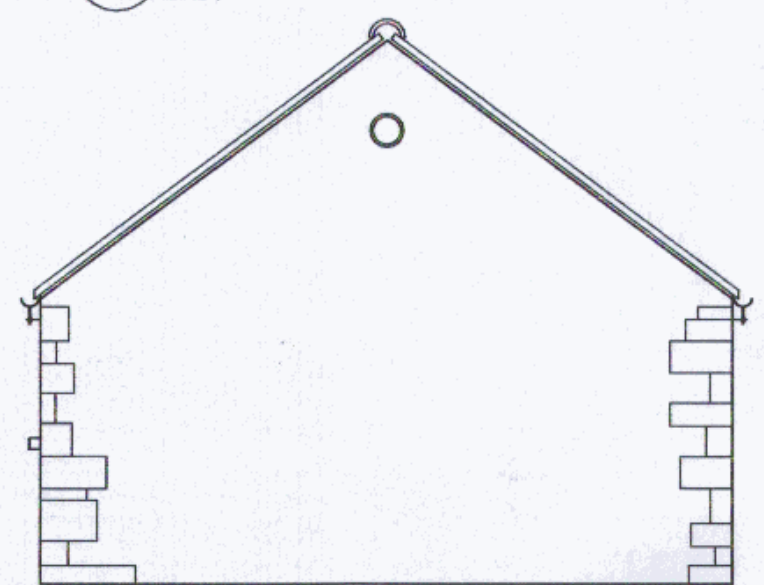
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PLANS & ELEVATIONS

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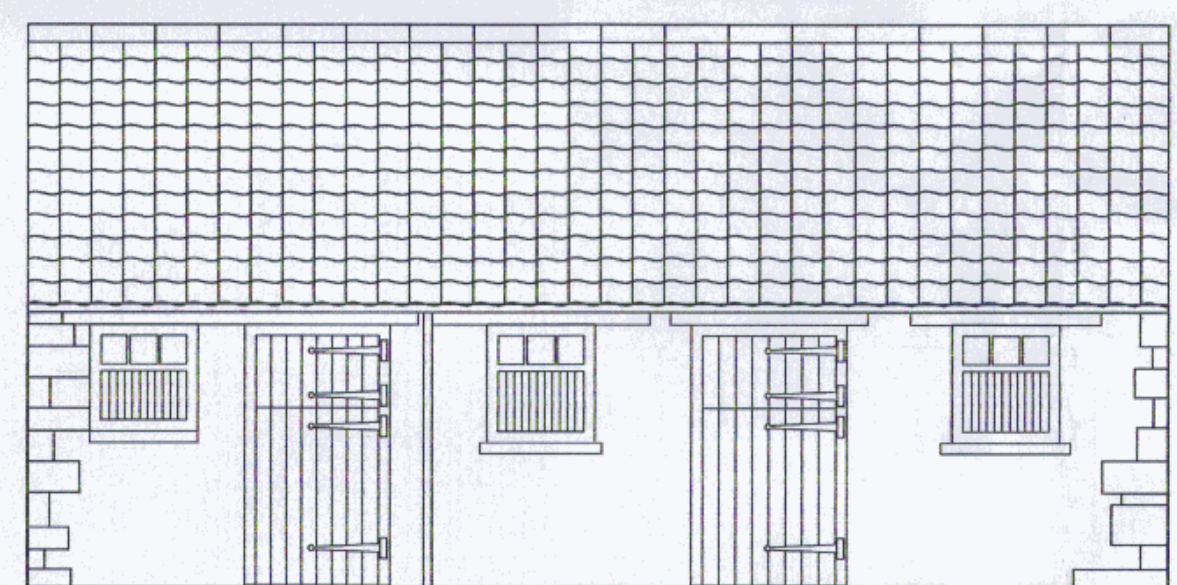
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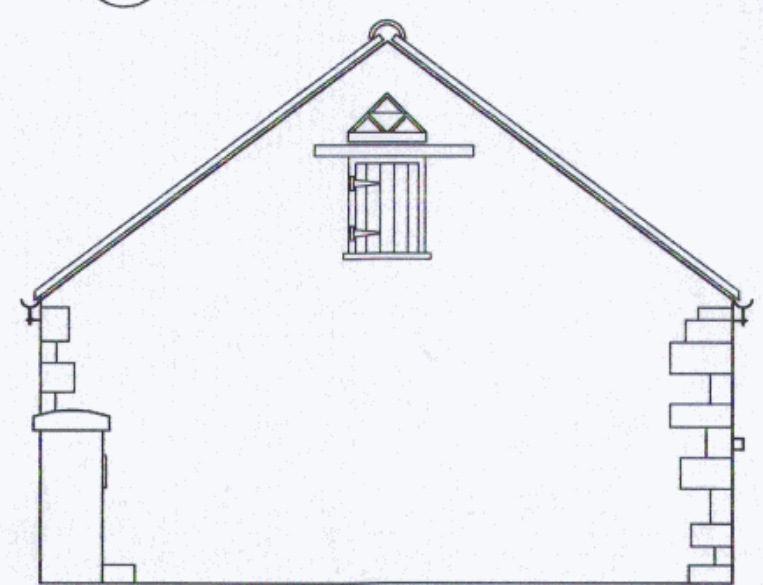
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EAST



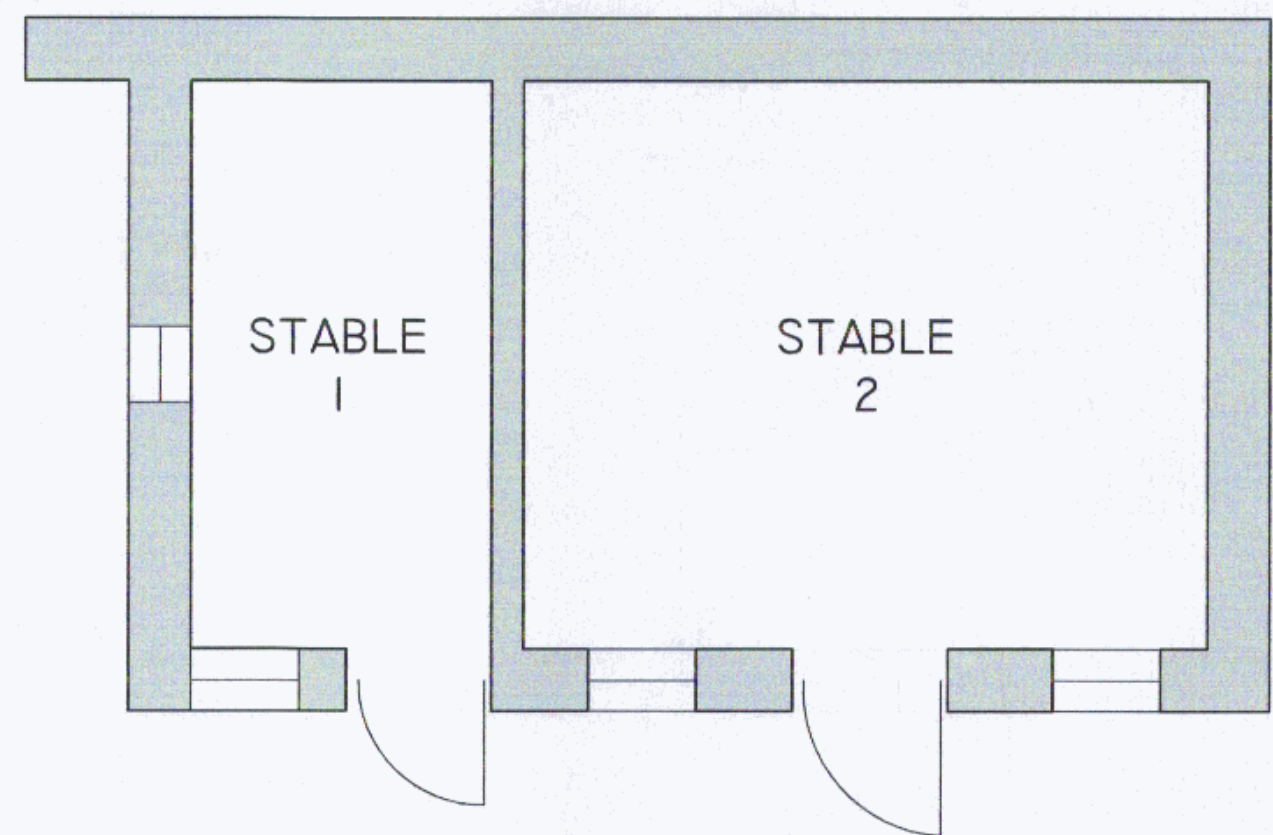
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SOUTH



W EXISTING ELEVATION 1:50
WEST

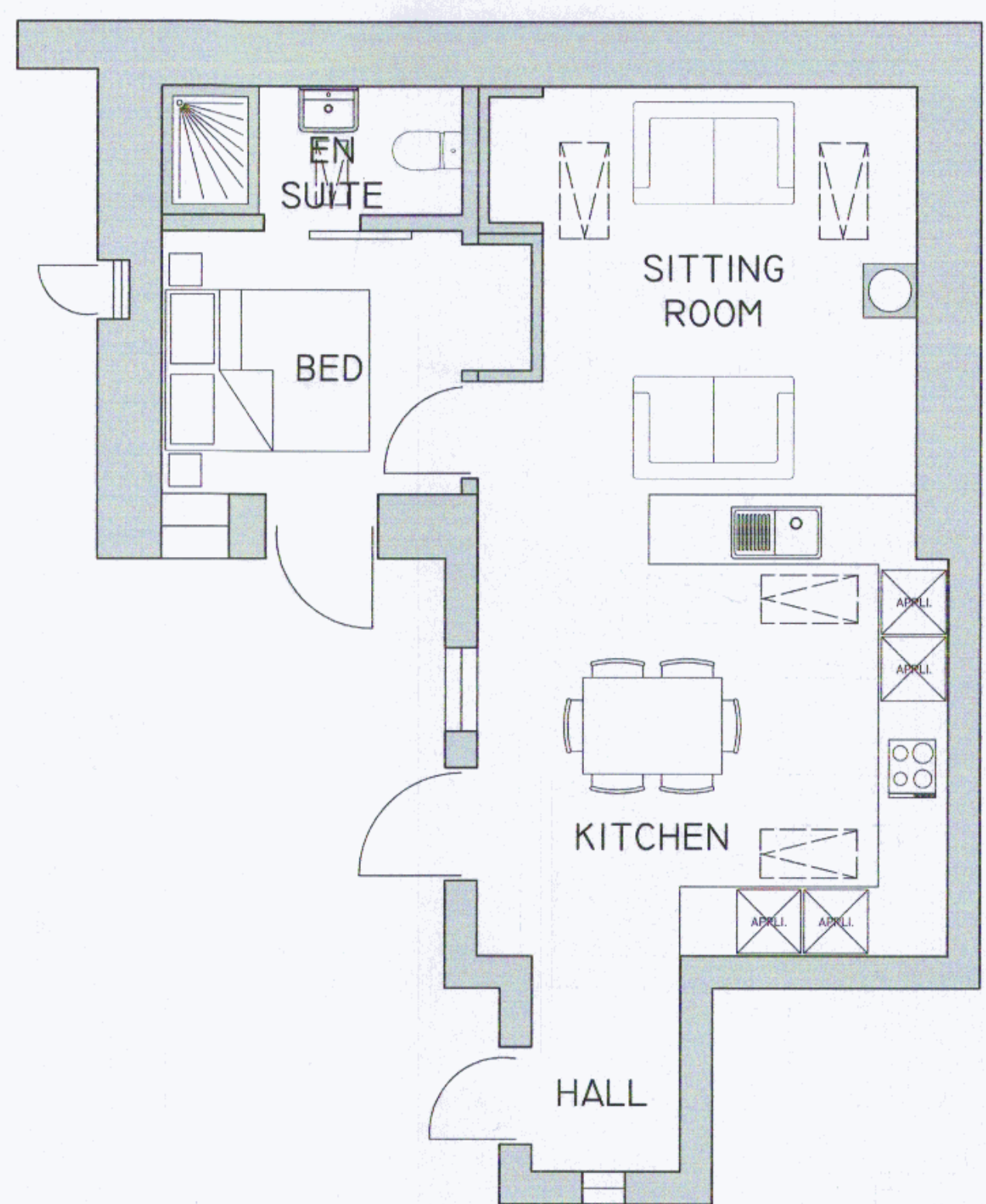


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GROUND FLOOR

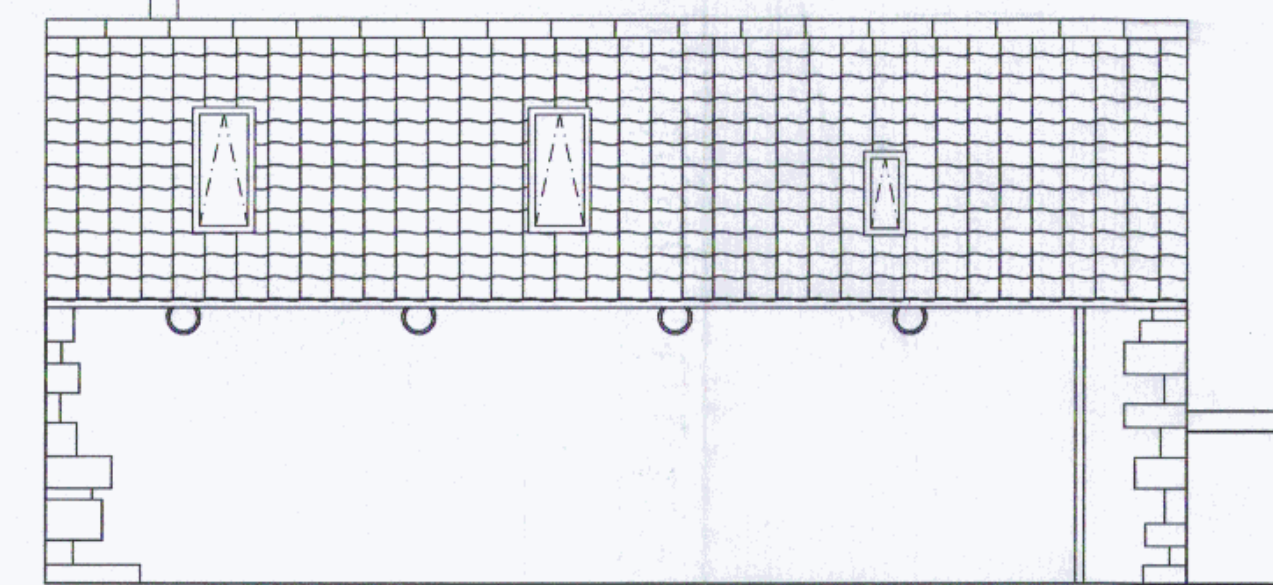


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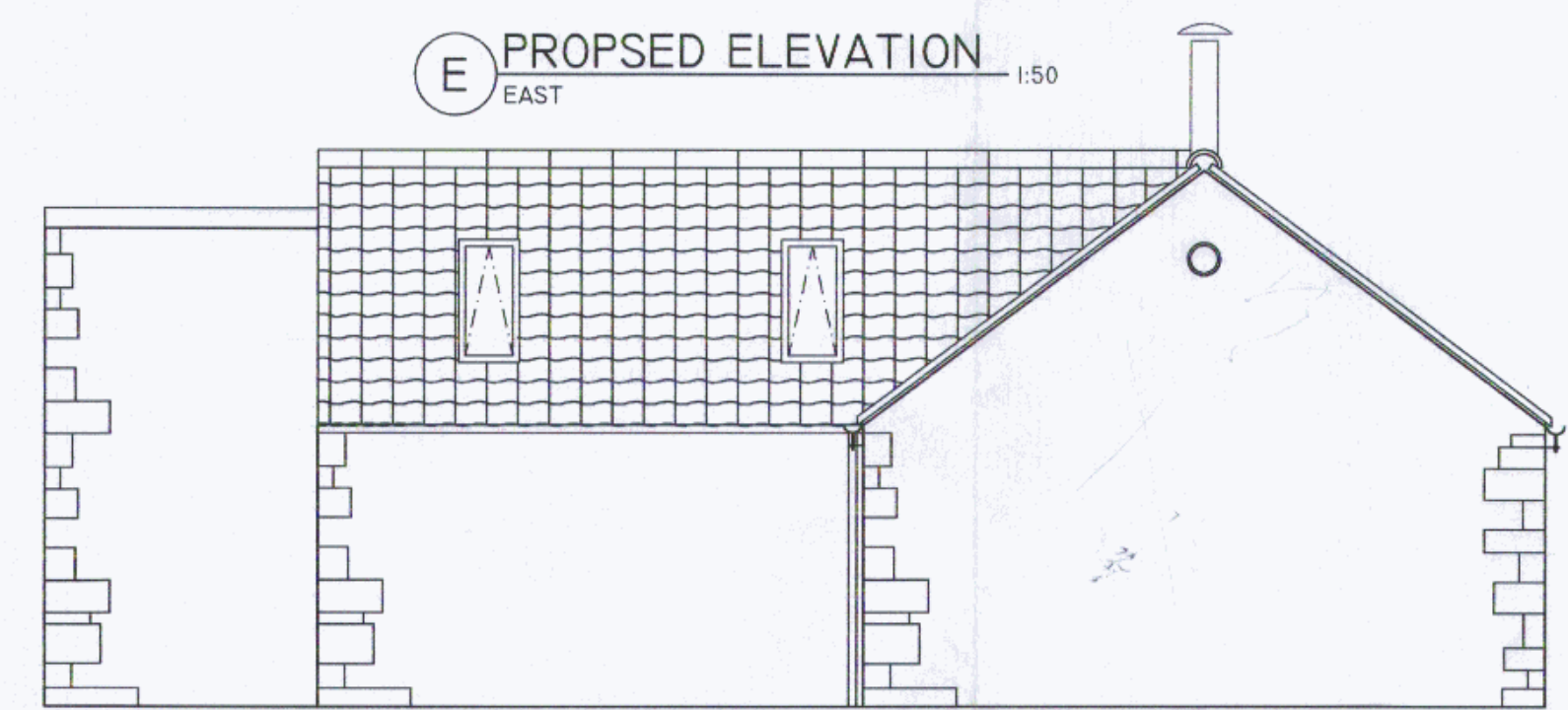
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GROUND FLOOR



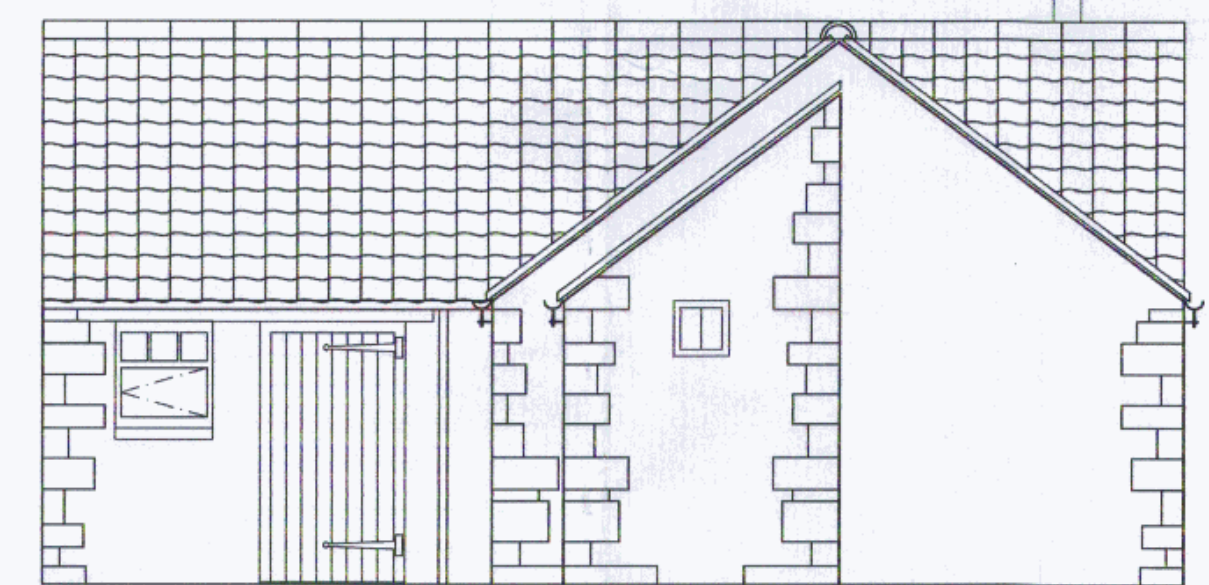
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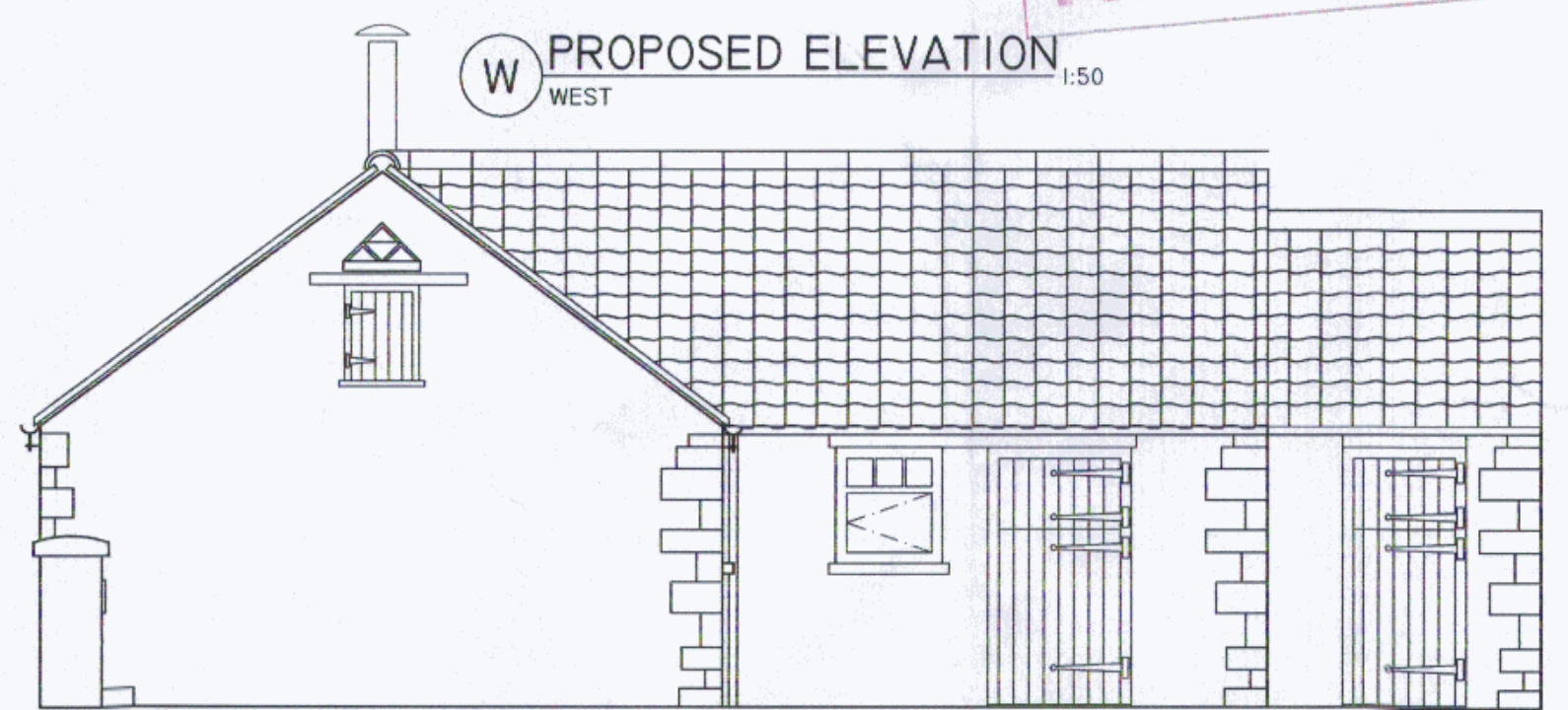
E PROPOSED ELEVATION 1:50
EAST



S PROPOSED ELEVATION 1:50
SOUTH



W PROPOSED ELEVATION 1:50
WEST



REVISED PLAN

Design and Access Statement

Plumwood – Harome, North Yorkshire

This application is submitted after working with the conservation officer to amend earlier proposals. The applicant has shown a willingness to work cooperatively to overcome design issues raised and this scheme is a result of that work. The original scheme was the subject of local consultation and these current proposals do respond to those comments where appropriate.

A: Design

Use

The proposed scheme involves the change of use and extension of a single storey out building, originally a stable block, to a one bedroom studio. The existing use of the building is as a workshop and store. The proposed scheme will allow the developed building to operate as a holiday let.



RYEDALE DM

28 OCT 2013

DEVELOPMENT
MANAGEMENT

B/01235/FUL

Amount

The existing building sits on a foot print 41.25 square metres (SQM). The proposed development includes an extension to the south eastern corner of the building increasing the overall footprint to 65.2 SQM. At present, the un-insulated solid wall construction runs to a gross internal floor area (GIA) of 30 SQM. The proposed development, after the application of internal wall insulation, will provide a GIA of 47.2 SQM. Glazing has been positioned in appropriate elevations making best use of solar gain as far as is possible whilst maintaining and replicating the buildings original features. Windows and doors will be selected from manufacturers with accredited energy efficient products and the floor and roof will also be highly insulated, exceeding Approved Document Part L requirements. In addition, the building itself will be preserved making best use of the embodied energy already invested in the structure.

Historical Environment

Despite being within the conservation area, it is not a prominent building. Harome falls outside the North York Moors National Park to the north and neither Plumwood nor any of the immediate surrounding properties have listed status. The applicant believes the planned design will have a positive impact on the Conservation Area and will preserve and enhance its character, retaining a valuable asset at the same time as providing the additional facilities required. The proposed scheme makes a positive contribution to the local character and distinctiveness of the immediate site and the wider street scene.

It is worthy of note that the existing building is in a state of disrepair and this proposal will enable an active reuse of the building, thus securing the future of the heritage asset in line with guidance confirmed via the NPPF policies in relation to conserving the historic environment.

Layout

Layout of the proposed development has been driven by the minimum requirements for a modern one bedroom studio design. The single storey design includes an open plan kitchen living area and main bedroom with en suite bathroom facilities. Orientation of the extension takes advantage of the solar gain available from the west and existing openings have been utilised in the current structure. New openings are located in the west elevation and roof ensuring neighbours are not overlooked. The building is a significant distance from all neighbouring properties and will have no detrimental effect on the provision of light or general amenity.

Scale

The scale of the building is appropriate for its context and uses no more space than is necessary to incorporate the facilities need by the applicant. Ridge and eaves heights have been kept to a minimum and overall design has been informed by surrounding agricultural style buildings, ensuring no adverse impact on the Conservation Area.

Landscaping

The building sits within a gravelled parking area to the north of the site. Boundaries are unaffected by the proposed development and no trees or shrubs will need to be removed. The immediate area around the proposed footprint will be redeveloped to include hard and soft landscaping. Parking and access to the highway will be unaffected by the planned scheme.

Appearance

The design takes account of the local vernacular and uses existing materials, detailing and fenestration readily found within the conservation area as is illustrated on the drawings and in the application form. Every attempt has been made to retain the appearance of an agricultural building, particularly the view from outside the Conservation Area looking in. The north elevation which abuts Back Lane has no windows at present and none are planned in the proposed development maintaining the appearance of a barn or stable.

B: Access

The applicant is willing to improve the access point from Back Lane to the proposed site to prevent the spread of loose materials onto the highway, should this be deemed a necessary condition. Parking for a minimum of three cars will remain after completion of the proposed scheme which exceeds that required by the applicant/current occupant and that of guests using the studio accommodation. The design incorporates ground floor WC with wide access doors allowing wheelchair access should this be required. Flush door thresholds have enabled the design to maintain the existing eaves heights at the same time as providing ease of access and egress to the property for visitors with mobility challenges, the visually impaired, parents with children and the elderly. Transport links, rights of way and all other pedestrian access routes are unaffected by the planned design.

C: Planning Policy

The applicant believes that the proposed scheme is supported by the Ryedale Plan. Section **SP8 - Tourism** seeks to promote sustainable tourism which is in line with providing holiday letting accommodation and in turn aids the development of the rural economy as specified in section **SP9 – The Land Based & Rural Economy**. The applicant also believes the heritage of the building and Conservation Area is enhanced by the proposed design in line with sections **SP12 – Heritage** and **SP16 – Design**, as has been illustrated above and in the drawings. In addition, the reuse of an existing building is supported by section **SP19 Presumption in Favour of Sustainable Development** and the applicant has proved a willingness to work jointly with RDC to find a solution acceptable to all parties.

In addition the National Policy Planning Framework (NPPF) sets a presumption in favour of sustainable development and supports the conservation of heritage assets such as the stable and Conservation Area, where appropriate, as is the case with the proposed scheme. The NPPF goes on to encourage development which enhances the heritage asset by putting disused rural buildings to good use as is the case in this instance.

The NPPF emphasises the importance of good design. This is reflected in the scheme submission.

The scheme ensures the long term future of the stable and by enhancing the heritage asset in the proposed way and the development is consistent with local and national planning policy presumptions.

ES

Recommend
Approved.

HAROME PARISH COUNCIL

Mrs M L Slater, Clerk.
Harome Parish Council.
Ryecroft,
Main Street,
Wombledon.
North Yorkshire YO62 7RX.
Tel 01751 432272
Email: louise@wombledon.wanadoo.co.uk

Karen Hood
Senior Technical Officer
Planning Department
Ryedale District Council
Ryedale House
Malton
YO17 7HH

RYEDALE DM
25 NOV 2013
DEVELOPMENT
MANAGEMENT
25/11
November 2013.

Dear Ms Hood,

13/01235/FUL Mrs E S Andrews, Change of use and alteration of stable block to form a one bedroom holiday cottage to include erection of single storey extension to south elevation and installation of 3 no roof lights to north elevation at Plumwood, Main Street, Harome

My Parish Council has considered the above application in detail. By majority it recommends approval of the application. Councillors were satisfied that proposed development was supported by policies SP2 and SP8 and felt the proposed design was acceptable.

My Council has therefore asked me to inform you it recommends approval of the application.

Yours sincerely,

M L Slater

Mrs M L Slater, Clerk to Harome Parish Council

Clerk Mrs ML Slater, Ryecroft, Main Street, Wombledon, YO62 7RX.
Tel 01751 432272
louise@wombledon.wanadoo.co.uk

Agenda Item 15

Item Number: 15
Application No: 13/01016/FUL
Parish: Malton Town Council
Appn. Type: Full Application
Applicant: Mr Howard Johnson
Proposal: Erection of a three bedroom dwelling with attached double garage with formation of vehicular access and blocking off of existing vehicular access by erection of a section of boundary retaining wall
Location: Land At Derwent House Old Malton Road Malton North Yorkshire
Registration Date:
8/13 Wk Expiry Date: 29 October 2013
Overall Expiry Date: 25 November 2013
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

Archaeology Section	Conditional Support
Archaeology Section	Recommend condition
Parish Council	
Tree & Landscape Officer	Require tree survey
Countryside Officer	No objection
Archaeology Section	Advises English Heritage consulted and evaluation done in relation to any impact on Derventio Roman fort before decision
Forward Planning & Conservation	
Parish Council	Malton town council recommends refusal
Highways North Yorkshire	recommend conditions
Tree & Landscape Officer	no objection
Highways North Yorkshire	
Parish Council	

Neighbour responses:

SITE:

The site is located to the north of the disused railway line adjacent to Old Malton Rd (B1257) and within the extensive curtilage of Derwent House, the former Yorkshire Water offices. The site is located outside of the 'saved' development limits and is covered by an area Tree preservation Order for mixed deciduous and conifer trees which was confirmed in February 1997.

PROPOSAL:

The proposal is for the erection of a substantial three bedroomed house with an attached double garage. The application also proposal also shows the formation of anew vehicular access and the closure of one existing access together with the construction of a section of retaining wall.

The submitted application is accompanied by a Planning Statement, a Design and Access Statement, a Tree Report and an Ecology Survey,

The proposed dwelling is an architect designed scheme, similar in approach to the dwellings approved elsewhere in the town on the site of the former Cave, Middlecave Road. The dwelling is proposed to be constructed using cut block stone, bronze coloured zinc cladding with a flat/parapet roof form.

Whilst substantial in scale the proportions of the proposed dwelling are still subordinate to those of the existing dwelling known as Derwent House which is located on the northern half of the site.

Plans and elevations of the proposal are appended to the report. These show a streetscene and site section which illustrates how the dwelling would be located on the plot and how it relates to the existing dwelling.

During the processing of this application amended plans have been submitted to address comments relating to the potential impact of the new access and driveway on trees.

HISTORY:

None directly relevant

POLICY:

Ryedale Plan Local Plan Strategy

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP11 - Community Facilities and Services

Policy SP12 - Heritage

Policy SP14 - Biodiversity

Policy SP16 - Design

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

APPRAISAL:

The following matters are considered to be relevant to the consideration of this application:

1. Principle of development
2. Design approach
3. Impact on trees
4. Access/highway safety
5. Archaeology
6. Biodiversity
7. Developer Contributions

At the time of writing this report, detailed negotiations are continuing in respect of the application of the recently adopted development plan and its impact in the consideration of the application. Officers and the Council's Asset Manager are also in continued discussions with regard to developer contributions required to satisfying Policies SP3 - Affordable Housing; SP11 - Community Facilities and Services and SP22 - Planning Obligations, Developer Contributions.

It is anticipated that a full appraisal section and recommendation section of this report will be circulated with the Late Pages prior to the Committee meeting.

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP3 Affordable Housing

Local Plan Strategy -Policy SP11 Community Facilities and Services

Local Plan Strategy - Policy SP12 Heritage

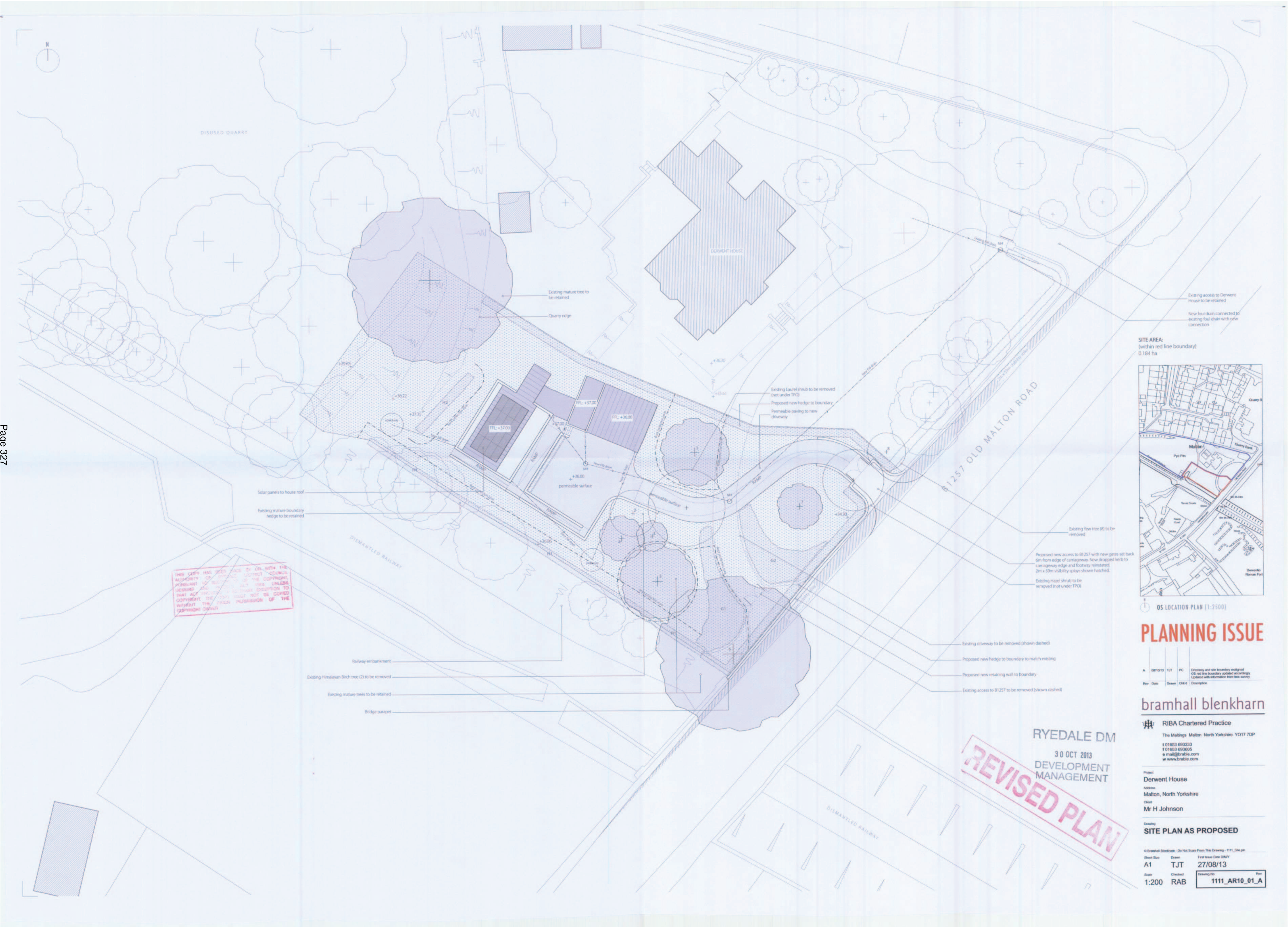
Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design
Local Plan Strategy - Policy SP18 Renewable and Low Carbon Energy
Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development
Local Plan Strategy - Policy SP20 Generic Development Management Issues

RECOMMENDATION: **Made at the Meeting**

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
Regional Spatial Strategy
National Planning Policy Framework
Responses from consultees and interested parties



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PLANNING ISSUE

A	08/10/13	TJT	PC	Driveway and site boundary realigned
Rev	Date	Drawn	CHK'd	Description

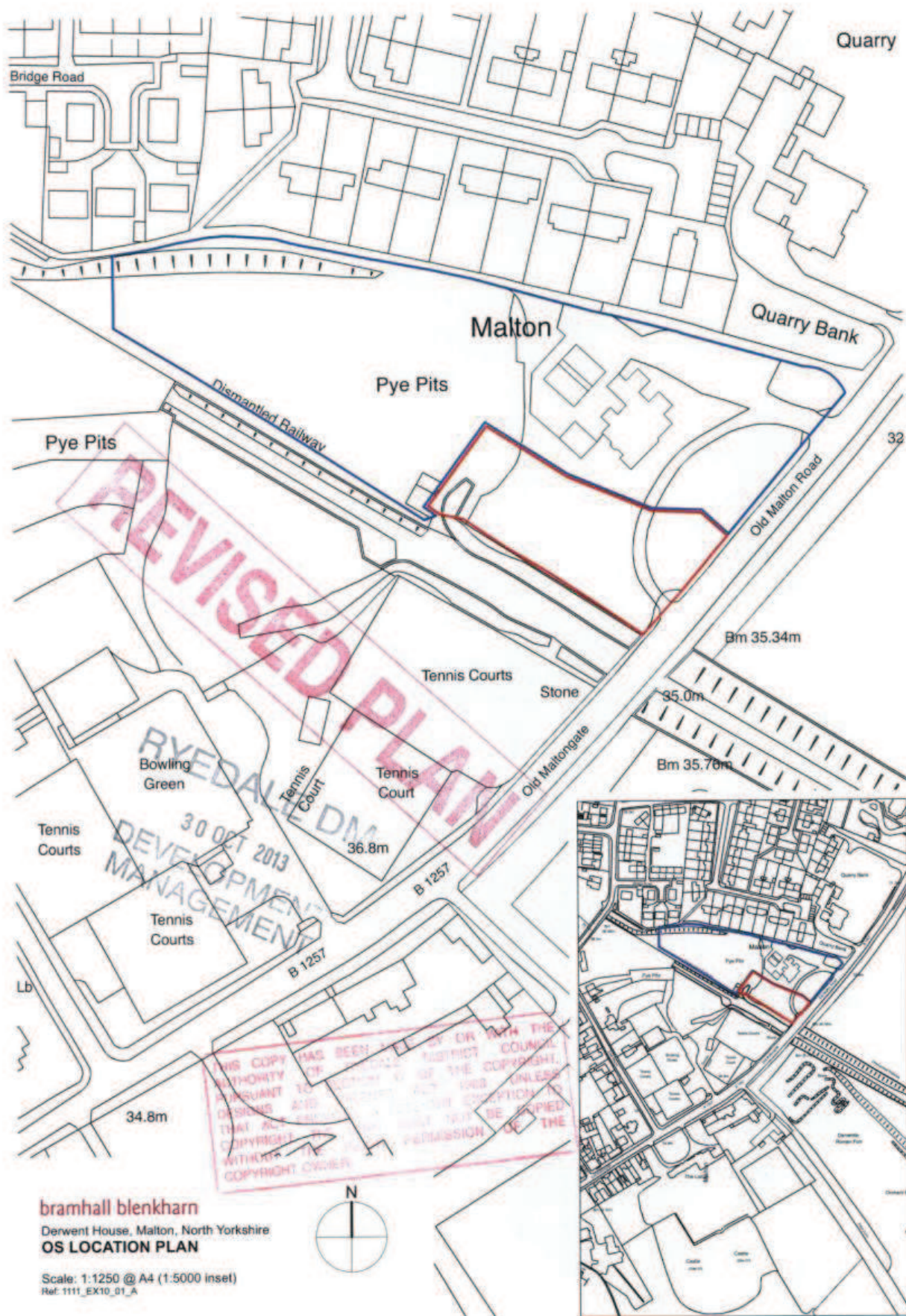
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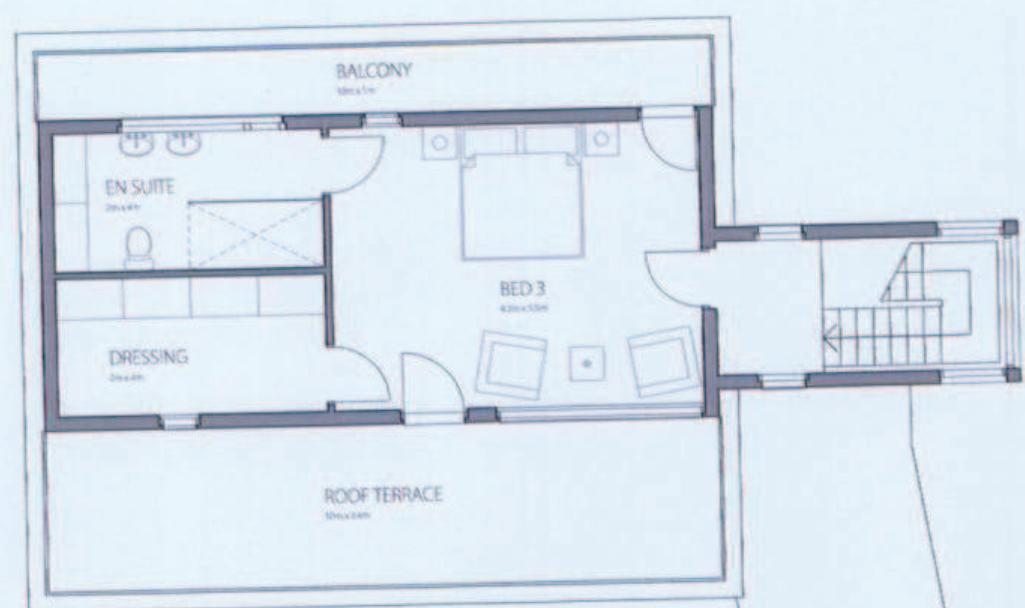
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e mail@bramhall.com
www.bramhall.com

Project
Derwent House
Address
Malton, North Yorkshire
Client
Mr H Johnson

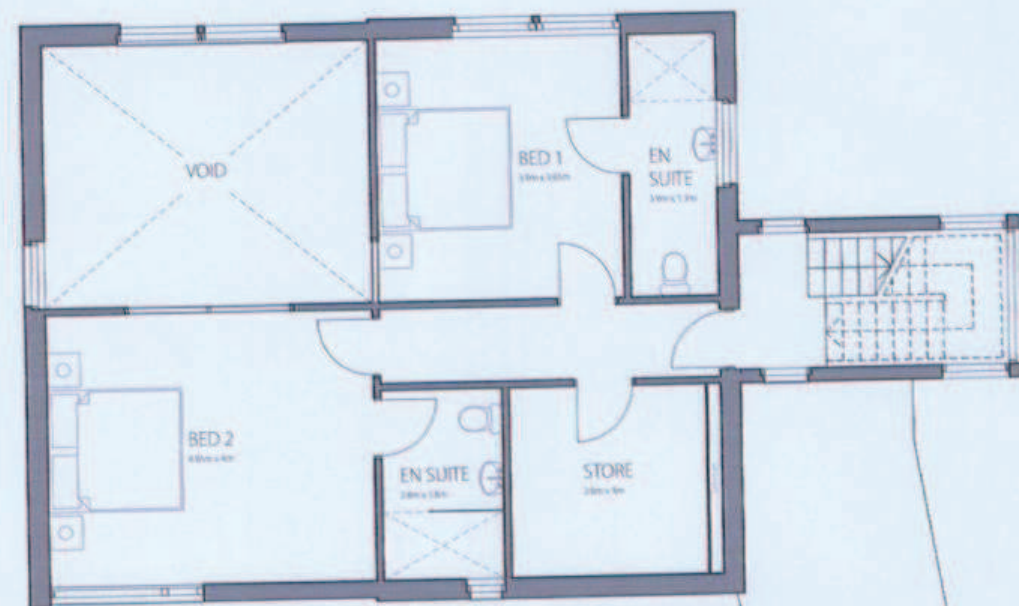
Drawing
SITE PLAN AS PROPOSED

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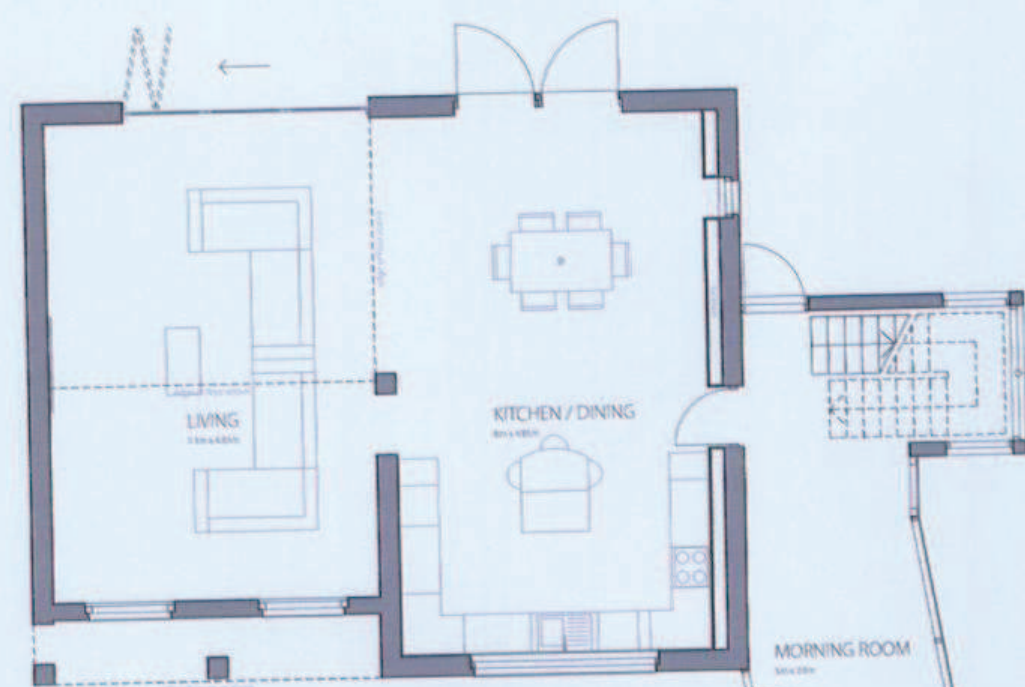




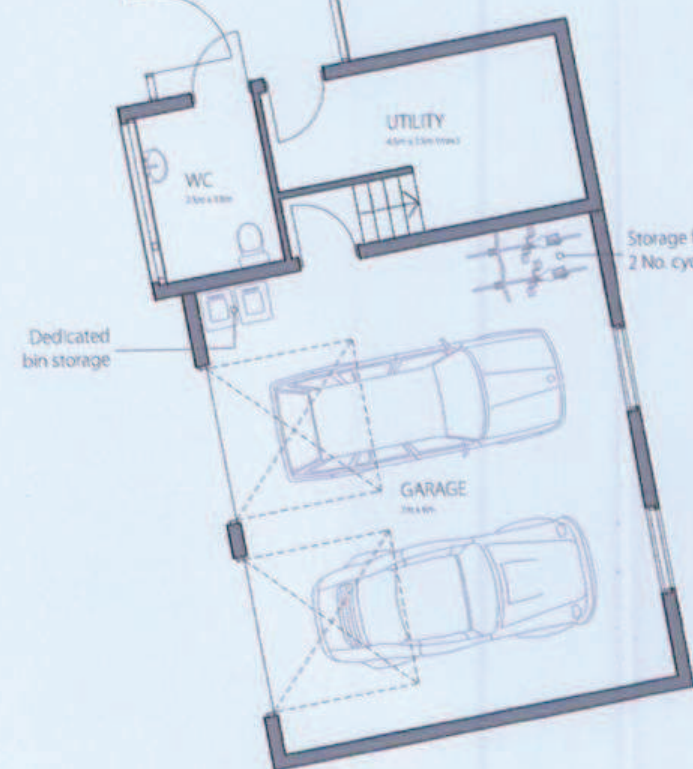
SECOND FLOOR PLAN (1:100)



FIRST FLOOR PLAN (1:100)



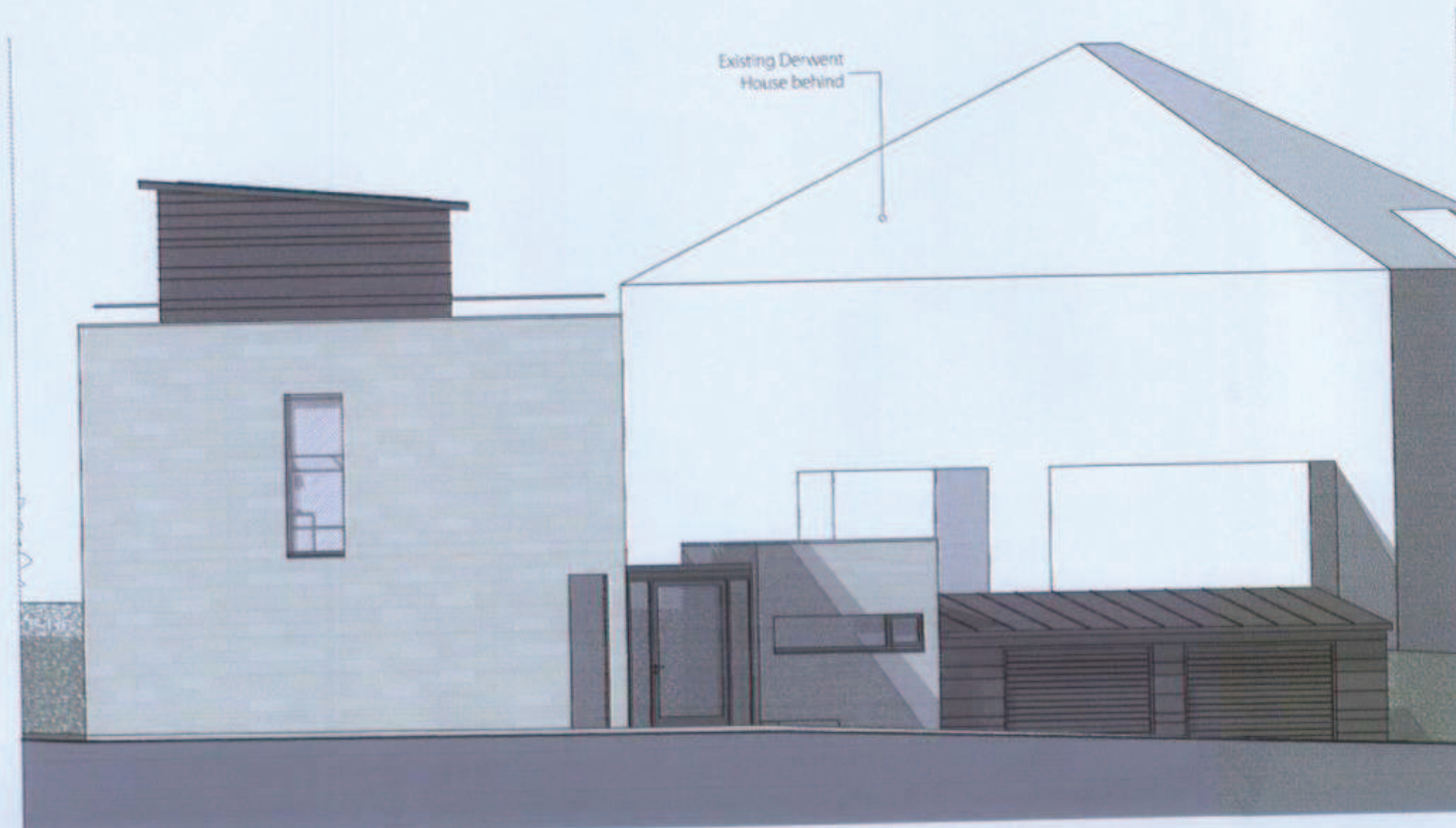
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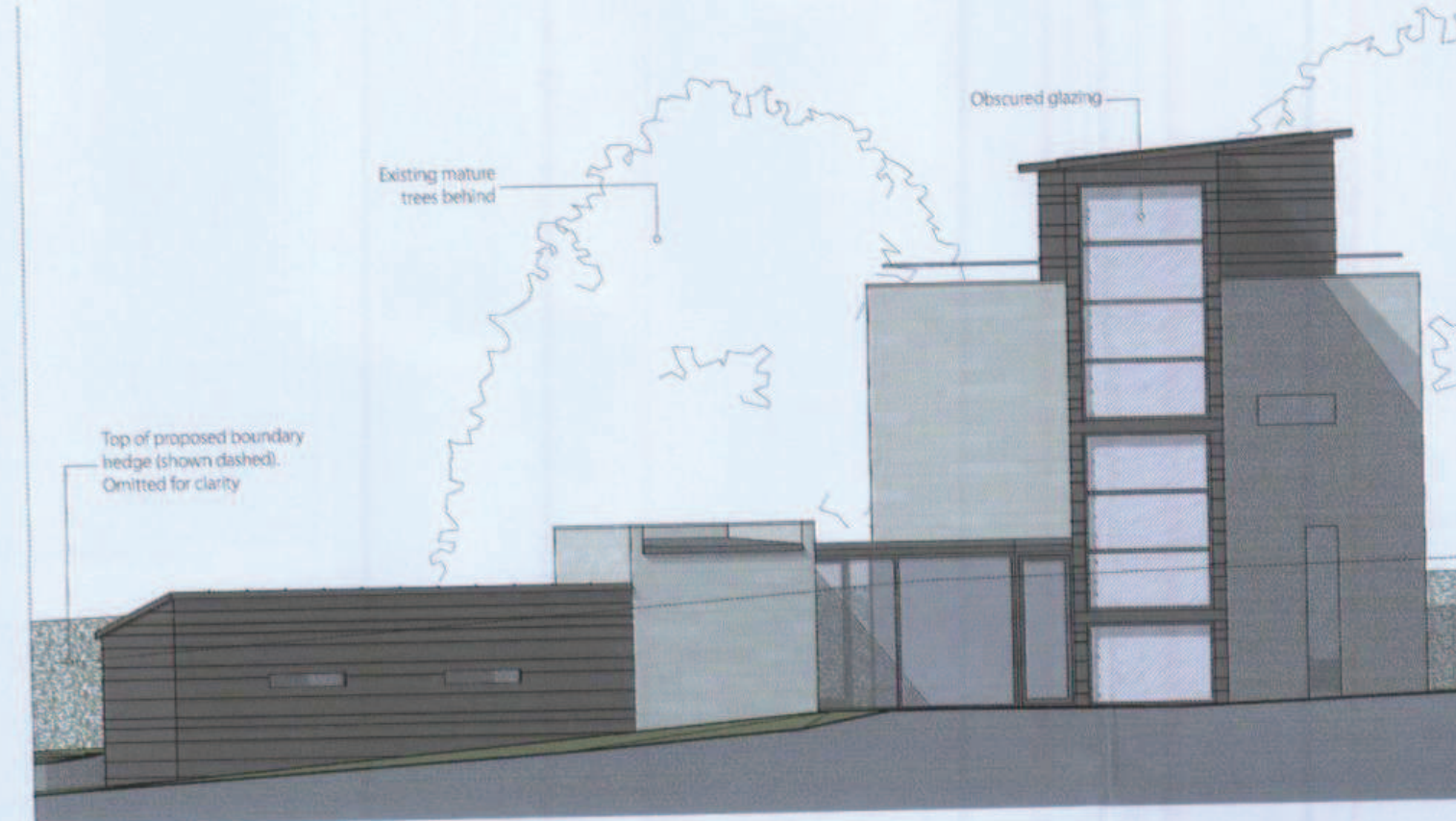
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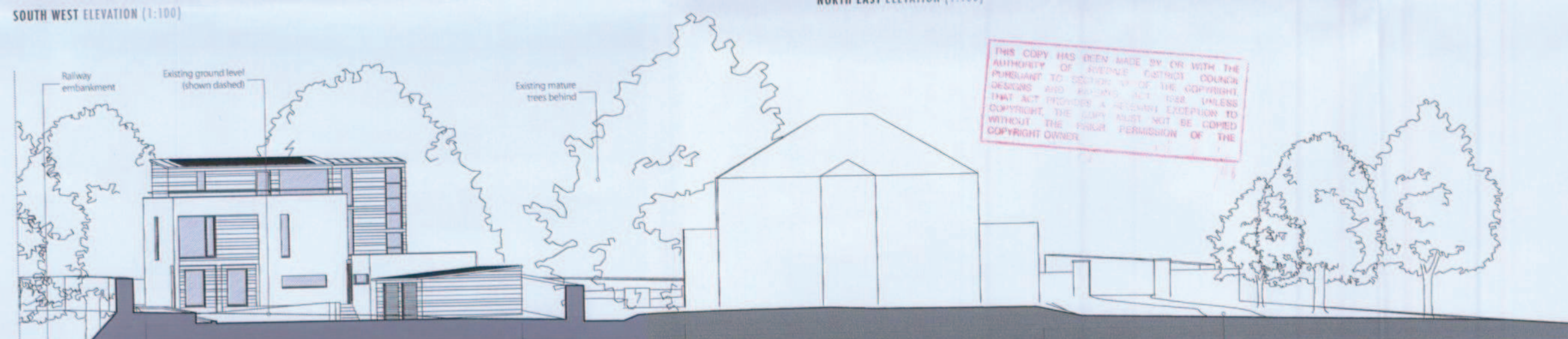
NORTH WEST ELEVATION (1:100)



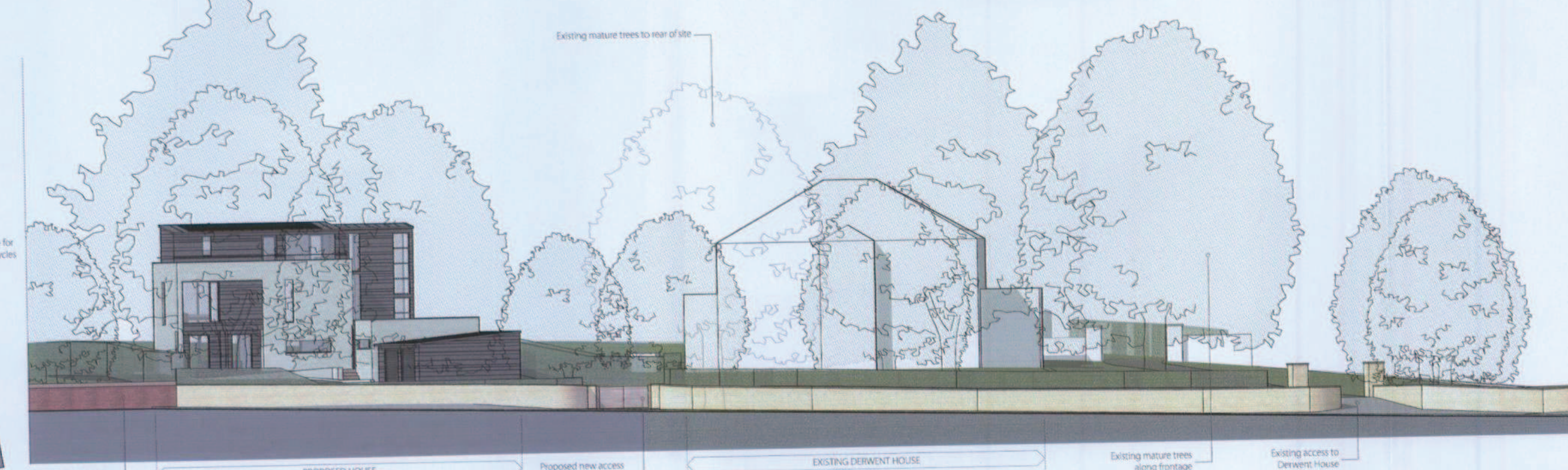
SOUTH WEST ELEVATION (1:100)



NORTH EAST ELEVATION (1:100)



SITE SECTION (1:200)



STREET ELEVATION (1:200)



EXISTING SITE FRONTAGE - OLD MALTONGATE (GOOGLE STREET VIEW)



3D VIEWS AS PROPOSED (TREES OMITTED FOR CLARITY)



OS LOCATION PLAN (1:2500)

PLANNING ISSUE

Rev	Date	Drawn	CHK'd	Description
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RYEDALE DM

- 3 SEP 2013
DEVELOPMENT
MANAGEMENT
13/01016/FUL

Project
Derwent House
Address
Maltton, North Yorkshire
Client
Mr H Johnson
Drawing
PROPOSALS

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- 3 SEP 2013

DEVELOPMENT
MANAGEMENT

B10101615K

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Land adjoining Derwent House

Old Malton Road Malton

YO17 7EY

Design & Access Statement

Incorporating

Flood Risk Statement

- 1 Introduction
- 2 Site Existing
- 3 Site Proposed
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

This document accompanies the application for planning consent for the construction of a new dwelling adjacent to Derwent House, Old Malton Road, Malton YO17 7EY on behalf of Mr&Mrs H Johnson. The location of the development is marked on the location map right. The application is being made by O'Neill Associates and this document accompanies the architectural drawings for the scheme.

Planning Consultant

O'Neill Associates
Lancaster House
James Nicholson Link
Clifton Moor
York
YO30 4GR

Introduction



- 1 Introduction
- 2 Site Existing
- 3 Site Proposed
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

Site Existing

The application site is shown outlined in red on the aerial view below. The site is adjacent to Derwent House and fronts on to Old Malton Road. There is a disused railway line to the south of the site and woodland to the west in the former Pye Pits quarry. The site is then surrounded by residential buildings beyond to north and west.



Aerial view of development site

- 1 Introduction
- 2 Site Existing
- 3 Site Proposed
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

Site Existing



Existing access from Old Malton Road to Derwent House at northern end of site

- 1 Introduction
- 2 Site Existing
- 3 Site Proposed
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

Site Existing



existing access from Old Maillon Road to Derwent House at southern end of site. This access to be blocked off and wall re-instated to back of footpath

- 1 Introduction
- 2 Site Existing
- 3 Site Proposed
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

Site Existing



Proposed development site looking east to boundary with former railway cutting



Derwent House looking across development site



Hedge boundary to south east adjacent to former railway cutting

- 1 Introduction
- 2 Site Existing
- 3 **Site Proposed**
- 4 Sustainability Statement
- 5 Planning Policy
- 6 Access & Accessibility
- 7 Flood Risk Assessment
- 8 Scheme Drawings

Site Proposed

3.1 The development comprises a new single dwelling, 3 storeys high, constructed of stone and zinc cladding, the third floor being a lightweight pavilion set back above a two storey base. The building sits on current lawned area to the south of the current dwelling. The site of Derwent House currently has two access points to either end of the site along Old Malton Road. The northern access is retained for Derwent House, whilst a new access is formed for the new house. The current access to the southern corner of the site will be blocked off, and a stone wall re-instated along the back of the pavement.

3.2 This particular part of Malton, along Old Malton Road, is characterised by villas set back from the road in landscaped settings. The new dwelling follows this idiom, being conceived as a villa set back from the road, and also set back behind Derwent House. The new house will enjoy distant views over the Derwent Valley, but be screened from the road and pavement by the existing planting and trees to the frontage.

3.3 The new house is shown in ashlar stone, with elements of bronze coloured zinc cladding. The zinc picks up the colours of autumn foliage, which will sit well within the landscaped setting. Zinc will be used for the roofing material to both house and garage block.

3.4 The garaging and utility area, is set forward of the house to create an enclosed entrance courtyard and turning area. The garage block also acts as a screen boundary with the adjoining Derwent House. A new hedge is shown planted between the two dwellings and further planting towards the front of the site.

3.5 The stair enclosure of the new house will have obscure glass facing across to Derwent House, to give privacy from overlooking, but also to achieve good levels of daylight to the stair.



SOUTH EAST ELEVATION (1:100)



SOUTH WEST ELEVATION (1:100)

1	Introduction
2	Site Existing
3	Site Proposed
4	Sustainability Statement
5	Planning Policy
6	Access & Accessibility
7	Flood Risk Assessment
8	Scheme Drawings

Sustainability Statement

4.0 Sustainability Statement

This statement sets out our analysis of the relevant sustainable planning policies which need to be considered in support of this application for a new two storey dwelling.

4.1 Planning Policy

The national planning policy framework (NPPF) is a material consideration in determining this planning application as it has now replaced most other national planning policies. A key point of the NPPF is a presumption in favour of sustainable development, which should be seen as having a primary role in both plan-making and decision-taking. The aim of this report is to demonstrate how this scheme has incorporated the principles of sustainable development and how these proposals will meet the needs of the locality now without compromising the future generations.

4.2 Code for Sustainable Homes

The Code for Sustainable Homes uses a sustainability rating system indicated by a mark of 1-6 (plus an additional star rating for each level) for the overall sustainable performance of a home. Code 1 is the lowest level and 6 is the highest. The code level achieved is awarded following a design assessment of the proposal and a post construction assessment following completion of the development.

The code is broken down and assessed on the following categories:

- Energy/CO2
- Water
- Materials
- Surface water run-off
- Waste
- Pollution
- Health and well-being
- Management
- Ecology

In recognition of the importance of water and energy efficiency, there is a requirement to meet at least a Code Level 3 star

Sustainability Statement

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rating in these categories. Whereas the other categories will have to achieve an overall average Code Level 3 in accordance with the requirements of the Building Regulations. This application will seek to achieve compliance with Code Level 4 and whilst it is hoped that a higher level will be achieved until working drawings are prepared the proposals should be considered as compliant with the statutory requirements.

4.3 Sustainability of the Proposed Development

One of the overriding considerations of the design has been the energy performance of the proposals and the environmental impact of this new home.

At this stage of the design process, it is difficult to be precise about the environmental performance of the finished property. The fabric of the property will be constructed of a cavity wall construction with full fill Xtratherm rigid cavity batts giving excellent air tightness and high performance in thermal transmittance. Additional insulation in the roof will provide a super-insulated external envelope of high air tightness.

A ground source or air source heat pump will be provided and photovoltaic panels on the roof to supplement the electricity consumption of the unit. The heat pump will supply a large thermal water storage tank which will have both a solar thermal panel additional heating coil (on main house south facing roof) and an electric immersion heater as an absolute fallback.

We are aiming for code level four (Code for Sustainable Homes) and a Sedbuk rating of A.

In addition to the requirements in meeting Code Level 4, the following local minimum standards should be met:

Minimum standard (water use): The sustainability statement must also include an evaluation of rainwater harvesting systems, grey water systems and sustainable urban drainage systems (SUDS). Also a water butt is required to be fitted to all new residential properties with gardens or landscape areas and this we have incorporated into the design. The intention is for the use of water butts and a rainwater harvester allowing for the re-use of rain water run off within the garden and house.

Minimum Standard (Renewable Energy): A minimum 10% of energy will be produced on site. In addition parts of the development should be identified that could accommodate renewable energy installations in the future, for example the number/area of south facing roofs. The scheme will provide this.

In accordance with the requirements for the introduction of renewable energy for new developments, we have considered a number of options; Wind technology is not appropriate for the site due to a close proximity to adjacent properties and the size constraints of the site. The most appropriate and chosen solutions are for the use of heat pumps and solar PV's for the production of electricity with additional solar thermal panels on the higher level roof for hot water gain.

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Minimum Standard (Recycling): The building will have dedicated space to store at least 2 x 180 litre wheeled bins (one for residential waste and one garden waste) and associated recycling facilities.

Additional Sustainable Measures Proposed as Part of the Scheme:

The proposal and its local area have been considered in the sustainability of the development, the application site is located within an existing urban settlement and by virtue of its location and has excellent links to infrastructure. The site is situated on a bus route and is only a short walk from Malton Railway Station and town centre facilities.

To achieve a significant sustainable development it is the efficiency of the building that is sought to be maximised rather than a basic level on construction with token stuck on renewables. The building has been designed to help in reducing its energy demands and be assisted by renewable energy technologies. This is achieved through higher levels of thermal insulation that current building regulation standards.

Local economic factors are also to be considered as part of a sustainable development, where new construction can bring a significant boost to the local economy. This is a proposal for a new single dwelling and where possible the development will seek to employ local skilled trades men and locally sourced materials.

Other basic measures the application proposes to utilise in order to achieve a sustainable development include

100% of light fittings to be energy efficient
 White goods to be eco labelled and rated A
 External Lighting to be on timer switches and energy efficient
 The use of composting facilities

4.4 Conclusion

Given the above assessment of this application against current sustainable planning policy the following conclusions can be made:

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- The scheme has been set out to achieve compliance with the Building Regulations and Code for Sustainable Homes Level 4
- The proposed dwelling would be heated through a combination of maximising solar gain, heat pump, photovoltaic panels and solar thermal panels delivered through under floor heating. Maximising the use of insulation will ensure a reduced reliance on artificial heating and cooling.
- The site will have dedicated recycling provision.
- The site is located along a bus service route and in ready walking distance of all town centre facilities.

It is considered that the proposed application meets and goes beyond the requirements and expectations of the sustainability policies of the development plan and planning policy guidance including the provisions of the NPPF and it has been demonstrated that this application meets the council's accepted definition of sustainable development.

Sustainable development means 'development that meets the needs of today without compromising the ability of future generations from meeting their needs'.

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Planning Policy

5.1 A planning statement for the application is being prepared by O'Neill Associates. This short response is supplementary information. National Planning Policy is now to be largely shaped through the NPPF [National Planning Policy Framework] which notes a number of core planning principles:

5.2 These 12 principles in *italics* are followed, where appropriate by comments in plain text.

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*

- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*

The project is for Mr&Mrs H Johnson who currently live in the adjoining large house to the plot, who wish to downsize and construct an easy to maintain and economical new home, suitable for their needs.

- *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, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*

- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*

The practice was approached due to their commitment to design and construct new dwellings to a high quality design. The clients have seen first hand, a number of local buildings designed by the practice and wanted to achieve something of a similar approach. The site offers opportunity for a distinctive dwelling on an attractive plot, which adds to the character of the area in a positive manner. The building does not cause overlooking to either Derwent House or any adjoining properties.

- *take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*

The immediate character of dwellings along Old Malton Road, is one of large stone villas set in landscaped gardens. The existing house, Derwent House is set to the northern edge of a large site, which includes the former Pye Pits quarry to the west and the former railway line and cutting to the southern boundary. The new house is sited on current lawned area to the

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south of Derwent House, but the bulk is set back behind the current dwelling. This siting retains good open landscaped space around both dwellings and continues the idiom of villas in a landscaped setting.

• *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 (for example, by the development of renewable energy);*

The new dwelling will be built to a minimum of Code Level 4 and will incorporate a ground source or air source heat pump together with solar PV panels.

The NPPF notes that it is important to achieve sustainable development:

• *contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*

As part of the application, supplementary planting will take place to enhance both site and ecology. Existing trees on the site will be retained and a belt of further planting noted on the boundary between the new house and Derwent House. Features to encourage biodiversity will be put in place-bird and bat boxes will be established as part of the development.

• *encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*

• *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*

• *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;*

• *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; and*

• *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.*

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Access and Accessibility

6.0 Access & Accessibility

The dwelling has been designed to meet the requirements of Part M of the Building Regulations (Access to and Use of Buildings) as a minimum standard. Level access from car parking to properties and external areas.

A free draining bound gravel turning and parking area is to be laid out to the front of the property giving adequate room to get into and alight from vehicles off the public highway. A compliant Part M ramp then leads to a level access at the main entrance to the dwelling.

There is a ramped access into the site from the footpath, which is Part M compliant.

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Flood Risk Assessment

7.0 Flood Risk Assessment

The extract below from the Environment Agency Map notes that the existing property is outside recognised flood zones.

The plan shown blue highlights the additional extent of an extreme flood from rivers or the sea. These outlying areas (indicated by light blue) are possibly affected by a major flood, with up to a 0.1 per cent (1 in 1000) chance of occurring each year. The dark blue areas indicate a risk from a river by a flood that has a 1 per cent (1 in 100) or greater chance of happening each year.

The existing property sits at a level some 15m higher than the flood plain.

Foul drainage is connected to the existing system and surface water is dealt with on site through the use of soakaways. Permeable paving is utilised for the drive and turning area within the site, hence creating a sustainable drainage solution.



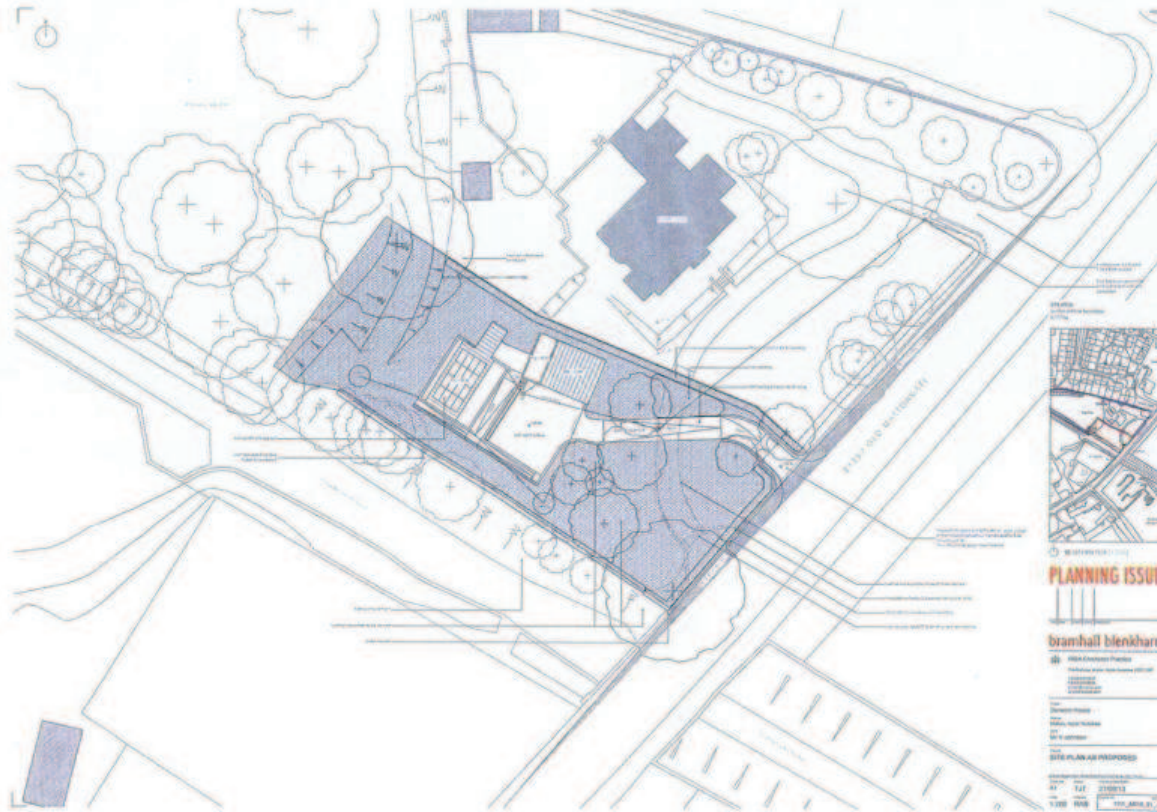
Flood risk map for site from Environment Agency website

Key

- Flood Zone 3
Flooding from rivers or sea without defences
- Flood Zone 2
Extent of extreme flood
- Main river
- Development Site

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RJS.

Recommend refusal

MALTON TOWN COUNCIL

MPC SKEHAN Town Clerk

Telephone: 01439 748500

E-mail: maltontc@btinternet.com



2 LEYSTHORPE COTTAGES
OSWALDKIRK
YORK
YO 62 5YD

1 October 2013

Development Control Manager
Ryedale District Council

Dear Sir

Planning Applications

The Town Council has considered six applications recently submitted under the consultation procedure, and offers the following observations for your attention.

The Town Council recommends approval of the following applications:

13/00980/FUL
13/00981/LBC
13/00966/FUL
13/01032/LBC
13/01074/HOUSE

In respect of the application no 13/01016/FUL the Town Council recommends that it be refused. The existing building is of a classic design and is long established in a very prominent setting at the centre of an appropriately proportioned site. The proposed new structure will have a negative impact upon the visual aspect of the existing building and site.

Yours faithfully

Mike Skehan
Clerk
Malton Town Council

acc 4/10/13
RYEDALE DM

04 OCT 2013

DEVELOPMENT
MANAGEMENT

RYEDALE DM

04 OCT 2013

DEVELOPMENT
MANAGEMENT

RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 17 December 2013

Report of the Development Control Manager

Greenholme, Main Street, Wombledon

Purpose of the Report

To advise Members of an alleged breach of planning control and recommend an appropriate course of action.

1. SITE LOCATION

1.1 Greenholme is a Grade II Listed Building, which lies within the settlement of Wombledon, to the east side of Main Street. The property is also located within the designated Conservation Area. The site comprises a semi detached stone dwelling, with an attached brick barn to the rear, which has previously been converted to form a separate residential dwelling. The property fronts onto Page Lane, but is also accessed from a metalled track which runs to the south side of the building which also serves several other dwellings on Page Lane and Main Street. The metalled track also forms a formal link between Page Lane and Main Street.

1.2 The location of the site is shown on the appended plan and photographs of the solar panels in question will be displayed at the meeting.

2. ALLEGED BREACH OF PLANNING CONTROL

2.1 The installation of 12 solar panels to the east and south facing roof slopes of the dwelling.

3. WHEN ALLEGED BREACH FIRST OCCURRED

3.1 The breach was first brought to the attention of the Local Planning Authority on 29 November 2012.

4. HISTORY AND EVIDENCE OF BREACH

4.1 A site visit was undertaken on 14th December 2012 and the breach was identified. The property owner was contacted in writing and advised that Listed Building Consent was required for the development.

4.2 Listed Building Consent (LBC) was sought retrospectively (ref. 13/00691/LBC).

4.3 The Councils' Building Conservation Officer objected to the proposals for the following reasons:-

“For listed buildings of all grades installation of microgeneration equipment attached to the building or within the curtilage of the buildings will require listed building consent. Listed building consent is required because the installation could affect the building’s character as ‘a building of special architectural or historic interest’. English Heritage advises that owners should:

- approach the local planning authority as early as possible
- consider non-intrusive alternatives first
- choose the least damaging type of technology in terms of damage to historic fabric
- ensure the equipment is non visible from important viewpoints and does not damage historic fabric.

The key test of acceptability is that there should be no loss of special interest of the building (the reason why it was listed).

None of the above guidance has been followed in this case and has resulted in a retrospective application for listed building consent.

English Heritage also believes that for a proposal to be acceptable on any grade of listed building it must show that:

- significant parts of the historic fabric will not be irreversibly damaged and any impact on it will be limited
- views of the building would not be compromised (views from public places are particularly important)
- no practical alternatives exist that would not require intervention in the historic fabric
- efforts have been made to lessen impact by design, location, choice of materials, colour etc.

The installation does not satisfy any of the criteria set out above.

- as the application is retrospective there is no proof that historic fabric has not been damaged
- views of the building are compromised and the special interest compromised. Roofscapes are a particularly important feature of historic buildings and make a significant contribution to their character. In this case a large area of the roof slope has been obscured by the panels which distract the eye from a traditional roofscape
- again the application is retrospective and there is no evidence of practical alternatives having been considered
- the installation is so random and obvious that no effort appears to have been made to lessen its impact

The installation has a negative impact on the listed buildings special interest and significance and should be refused.”

4.4 The LBC was refused by the Local Planning Authority on 25th October 2013 under delegated powers for the following reason:-

The proposed solar panels by virtue of their siting, scale, design, and materials will have a significant adverse effect upon the character and setting of the Listed Building. This

proposal is thereby contrary to the National Planning Policy Framework and Policy SP12 of the Ryedale Local Plan Strategy.

- 4.5 A further site inspection was undertaken on 12th November 2013 in order to ascertain the present situation. It was confirmed that the solar panels were still in situ.

5. APPRAISAL AND POLICY CONTEXT

- 5.1 The solar panels are not considered to conserve or enhance the designated heritage asset. Whilst the solar panels are located to the rear of the property, they are clearly visible from the access which runs to the south. It is considered that the addition of these new solar panels on this prominent and visible roof slope have a significant adverse effect upon the buildings character, and setting, by virtue of the inappropriate siting, scale, materials, and design.

- 5.2 The relevant planning policy considerations are:

National Planning Policy Framework

Section 12 (Conserving and enhancing the historic environment), Paragraph 131, of the NPPF states that:

“In determining planning applications, local planning authorities should take account of the desirability of new development to make a positive contribution to local character and distinctiveness.”

Ryedale Local Plan Strategy

Policy SP12 of the Ryedale Local Plan Strategy states that:

“Designated historic assets and their settings, including Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens will be conserved and where appropriate, enhanced. Development proposals which would result in substantial harm to or total loss of the significance of a designated heritage asset or to the archaeological significance of the Vale of Pickering will be resisted unless wholly exceptional circumstances can be demonstrated. Proposals which would result in less substantial harm will only be agreed where the public benefit of the proposal is considered to outweigh the harm and the extent of harm to the asset.”

- 5.3 The Local Planning Authority has a statutory duty under legislation relating to both Listed Buildings and Conservation Areas:

Listed Buildings

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: ‘In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

Conservation Areas

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides, so far as material: ‘In the exercise, with respect to any buildings

or other land in a conservation area....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

6. WHY IS IT CONSIDERED EXPEDIENT TO SERVE A NOTICE?

- 6.1 In this case, the roofscape is a particularly important feature of the historic building and makes a significant contribution to its character. A large area of the roof slope has been obscured by the panels they dominate the view of the building from the rear and distract from the traditional roofscape. There is no proof that the historic fabric has not been damaged and there is no information to suggest that any practical alternatives have been considered, which could be less harmful to the character of the building. Furthermore, the positioning and arrangement of the panels is considered to be random which is considered to increase the negative impact that they have on the significance of the Listed Building.

7. STEPS NECESSARY TO REMEDY THE BREACH

- 7.1 Members are requested to authorise and delegate appropriate enforcement action to the Council's Solicitor and Head of Planning and Housing in order to ensure the removal of the solar panels refused under Listed Building Consent ref. 13/00691/LBC.

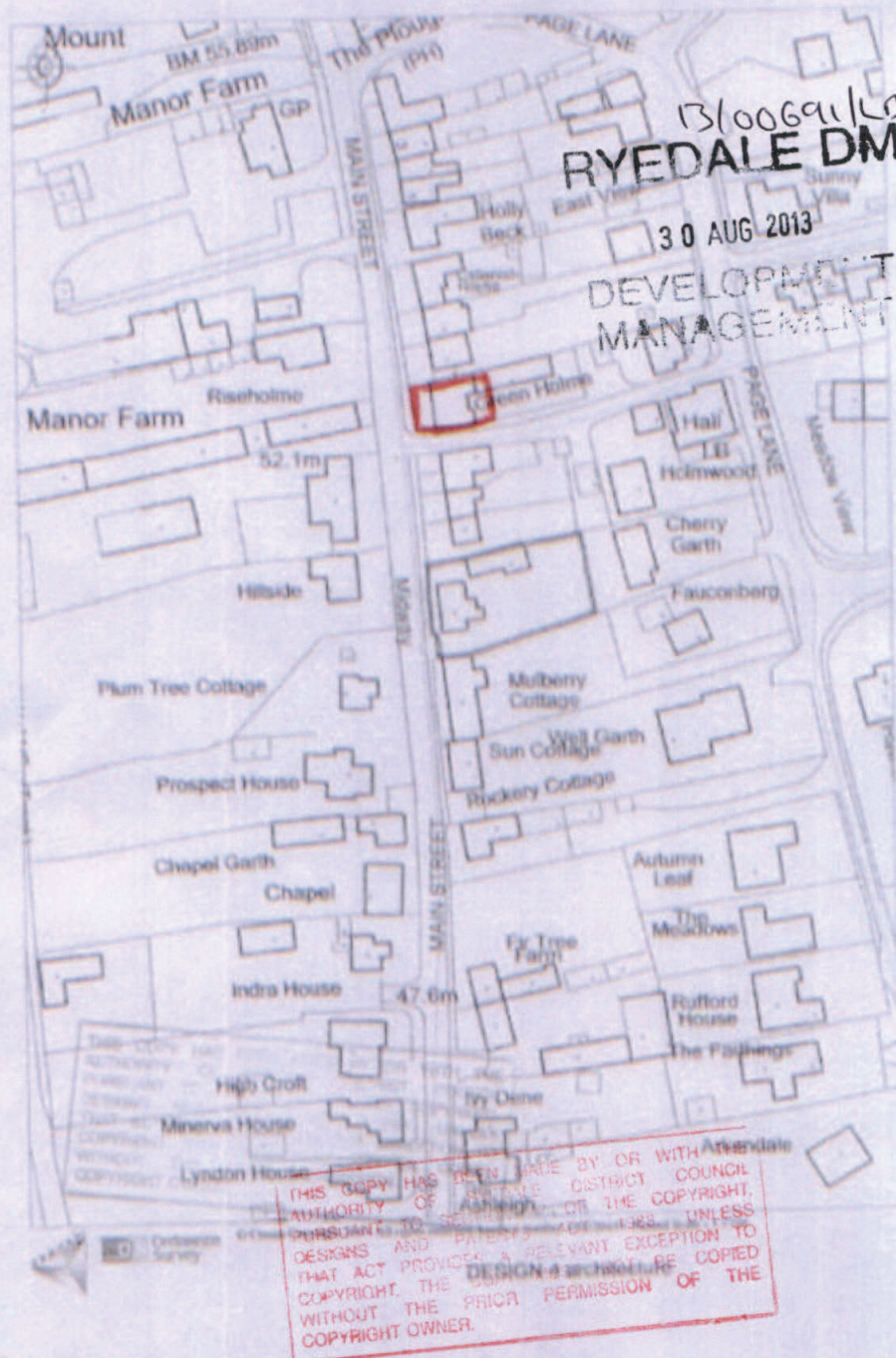
8. SUGGESTED PERIOD FOR COMPLIANCE WITH THE NOTICE

- 8.1 A compliance period of 3 months is recommended in respect to any enforcement notice.

Recommendation

It is **recommended** that action is taken to remove the solar panels from the property.

Greenholme, Wombledon
1:1250 Location Plan



Agenda Item 17

The Stables,
25 York Rd,
MALTON,
YO17 6RX,
12/10/13

Dear John (and all the Planning Committee),

I am just writing to
apologise for the disruption I caused
at the planning meeting on 29 July 2013 when
I refused to leave the room even
though the planning for Stream & Moorland
Garden Centre was on the Agenda. Also
I realize now that the Constitution
does not allow for councillors to remain
in the room at such a time.

Please accept my sincere
apologies for my action. Yours sincerely,
Ann

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

-
- 1.**
- | | | |
|------------------------|--|---------------------------|
| Application No: | 13/00555/HOUSE | Decision: Approval |
| Parish: | Oswaldkirk Parish Meeting | |
| Applicant: | Mr And Mrs Aherne | |
| Location: | Pavilion House The Terrace Oswaldkirk Helmsley YO62 5XZ | |
| Proposal: | Erection of a detached garage/workshop for private domestic use, detached utility room and demolition of existing garage and outbuilding | |
-
- 2.**
- | | | |
|------------------------|--|--------------------------|
| Application No: | 13/00699/FUL | Decision: Refusal |
| Parish: | Luttons Parish Council | |
| Applicant: | Mr David Morgan | |
| Location: | Land At High Barn Farm Green Lane West Lutton Malton North Yorkshire | |
| Proposal: | Erection of 1no. 30.5m high (overall tip height 45m) 225kw wind turbine to generate electricity for on farm use. | |
-
- 3.**
- | | | |
|------------------------|--|---------------------------|
| Application No: | 13/00807/DNO | Decision: Approval |
| Parish: | Kirkbymoorside Town Council | |
| Applicant: | Ms V Gretham | |
| Location: | North Yorkshire Highways Depot Manor Vale Lane Kirkbymoorside YO62 6EG | |
| Proposal: | Demolition of former County Council buildings | |
-
- 4.**
- | | | |
|------------------------|---|---------------------------|
| Application No: | 13/00950/FUL | Decision: Approval |
| Parish: | Norton Town Council | |
| Applicant: | Persimmon Homes | |
| Location: | Land At Westfield Nurseries Scarborough Road Norton Malton North Yorkshire | |
| Proposal: | Erection of 3 no. 4 bedroom detached dwellings, 1 no. 3 bedroom detached dwelling and 2 no. 3 bedroom semi-detached dwellings to plots 92 -96 and additional plot 197 to replace existing approved layout for 09/00829/MFUL approved 05.01.2011 | |
-
- 5.**
- | | | |
|------------------------|---|---|
| Application No: | 13/01007/TPO | Decision: Partial Approve/Refuse |
| Parish: | Wharram Parish Council | |
| Applicant: | Mr M Kendra | |
| Location: | 1 Sycamore Cottages Station Road Wharram Le Street Malton North Yorkshire YO17 9TL | |
| Proposal: | To fell the three most southerly sycamore trees within the group that forms G1 within TPO No. 317/2008. | |
-
- 6.**
- | | | |
|------------------------|---|---------------------------|
| Application No: | 13/01185/TPO | Decision: Approval |
| Parish: | Pickering Town Council | |
| Applicant: | Mr Jim Bell | |
| Location: | 17 Malton Road Pickering North Yorkshire YO18 7JL | |

Proposal: To remove the two lowest branches from T4 (sycamore) within TPO NO. 103/1987.

7.

Application No:	13/01018/HOUSE	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	Mr Tim King	
Location:	2 Church Row Pickering North Yorkshire YO18 8JL	
Proposal:	Erection of replacement garage/outbuilding and installation of 1 no. first floor window to front elevation of dwelling	

8.

Application No:	13/01026/CLEUD	Decision: Approval
Parish:	Oswaldkirk Parish Meeting	
Applicant:	Mrs S Fram	
Location:	Land Adjoining Number 4 The Terrace Oswaldkirk Helmsley	
Proposal:	Certificate of Lawfulness in respect of use of the land as shown red lined on the submitted 1:1250 Site Location Plan as domestic garden to 4 The Terrace Oswaldkirk in excess of 10 years before the date of this application	

9.

Application No:	13/01041/FUL	Decision: Approval
Parish:	Thornton-le-Clay Parish Council	
Applicant:	Mr & Mrs White	
Location:	Land Adjacent To Sauveterre Low Street Thornton Le Clay Malton	
Proposal:	Erection of 1 no. three bedroom dwelling with attached garage, amenity area and parking to include formation of vehicular access (revised details to refusal 13/00600/FUL dated 09.09.2013)	

10.

Application No:	13/01050/HOUSE	Decision: Approval
Parish:	Rillington Parish Council	
Applicant:	Mr J Firby	
Location:	5 Long Meadows Rillington Malton North Yorkshire YO17 8LY	
Proposal:	Erection of two-storey extension to side to include integral garage	

11.

Application No:	13/01071/FUL	Decision: Approval
Parish:	Staxton/Willerby Parish Council	
Applicant:	Mr & Mrs Bowles	
Location:	Old Vicarage Coach House Wains Lane Staxton Scarborough North Yorkshire YO12 4SF	
Proposal:	Change of use and alterations of 2no. 1-bedroom flats to form 1no. 2-bedroom dwelling with erection of single-storey rear extension and removal of external stairs to first floor	

12.

Application No:	13/01084/TELE	Decision: Approval
Parish:	Appleton-le-Street Parish Meeting	
Applicant:	LN Communications Ltd (Mr S Hayhurst)	
Location:	Telecommunications Mast Adj Park House Easthorpe Malton North Yorkshire	
Proposal:	Erection of a 15m high triangular lattice type communication mast to enable transmission of wireless broadband	

13.

Application No: 13/01094/HOUSE **Decision: Approval**
Parish: Sproxton Parish Meeting
Applicant: Mr Stephen Heward
Location: Old Barn Main Street Sproxton Helmsley YO62 5EF
Proposal: Erection of single storey extension to the east elevation with additional domestic accommodation above and formation of pitched roof to the existing flat roofed section of the dwelling

14.
Application No: 13/01106/FUL **Decision: Approval**
Parish: Ganton Parish Council
Applicant: Mr David Bradley
Location: Cat Babbleton Farm Ganton Hill Ganton Scarborough North Yorkshire YO12 4PQ
Proposal: Installation of 3 banks of ground mounted solar panels (204 panels in total) creating a 50kw peak renewable energy system for on farm use.

15.
Application No: 13/01108/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr Richard Abrahall
Location: Land At Eastfield Road Pickering North Yorkshire
Proposal: Erection of a four bedroom dwelling with attached single garage (revised details to approval 12/01222/FUL dated 11.02.2013)

16.
Application No: 13/01110/HOUSE **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Miss R Slaughter
Location: 8 Highfield Terrace High Street Swinton Malton North Yorkshire YO17 6SW
Proposal: Erection of bay window and canopy to front elevation together with extension to existing garage

17.
Application No: 13/01111/HOUSE **Decision: Approval**
Parish: Sproxton Parish Meeting
Applicant: Mr & Mrs K Drydale
Location: Willow Bank Main Street Sproxton Helmsley YO62 5EF
Proposal: Installation of 1no. dormer window to rear roofslope

18.
Application No: 13/01118/FUL **Decision: Approval**
Parish: Nunnington Parish Council
Applicant: Mr Peter Robinson
Location: 1 & 2 Graham Hall Cottages High Orchard Nunnington Helmsley YO62 5UY
Proposal: Repairs to roof of outbuilding with the installation of a biomass boiler flue with associated storage bunker

19.
Application No: 13/01119/LBC **Decision: Approval**
Parish: Nunnington Parish Council
Applicant: Mr P Robinson
Location: 1 & 2 Graham Hall Cottages High Orchard Nunnington Helmsley YO62 5UY
Proposal: Repairs to roof of outbuilding with the installation of a biomass boiler flue with associated storage bunker

- 20.**
Application No: 13/01121/HOUSE **Decision: Approval**
Parish: Ebberston Parish Council
Applicant: Mr Andrew Hebron
Location: Quarry Farm Sandsprunt Lane Ebberston Scarborough North Yorkshire YO13 9PA
Proposal: Erection of double garage, two stables with tack room and store
-
- 21.**
Application No: 13/01129/HOUSE **Decision: Approval**
Parish: Thorpe Bassett Parish Meeting
Applicant: Mr & Mrs McGill
Location: Walnut Tree Farm Thorpe Bassett Malton YO17 8LU
Proposal: Demolition of outbuildings, erection and conversion of outbuilding to form additional domestic accommodation.
-
- 22.**
Application No: 13/01131/FUL **Decision: Approval**
Parish: Middleton Parish Council
Applicant: Mr & Mrs Wilson
Location: Bee And Poultry Farm Main Street Middleton Pickering North Yorkshire YO18 8NX
Proposal: Change of use and alteration of domestic garage to form a one-bedroom self-contained annex
-
- 23.**
Application No: 13/01132/HOUSE **Decision: Approval**
Parish: Aislaby Parish Council
Applicant: Mr & Mrs Luhrs
Location: Heslington House Main Street Aislaby Pickering North Yorkshire YO18 8PE
Proposal: Erection of fully glazed timber frame walls with pantile roof over existing enclosed yard area to form porch and garden room
-
- 24.**
Application No: 13/01146/HOUSE **Decision: Approval**
Parish: Marton Parish Meeting
Applicant: Mr & Mrs Ridley
Location: Chestnut Cottage Marton Road Marton Kirkbymoorside YO62 6RD
Proposal: Replacement of 6no. windows to front elevation and installation of 4no. stone cills to match existing (retrospective application)
-
- 25.**
Application No: 13/01169/LBC **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr & Mrs Sellers
Location: The Old Bank House 118 Eastgate Pickering North Yorkshire YO18 7DW
Proposal: External and internal alterations to Old Bank House to include installation of conservation rooflight to south roof slope, removal of fireplace and conversion of hatch into doorway together with installation of 3 no. replacement rooflights to west roofslope of stable block and works to The Little House to include replacement rooflight, blocking up of south facing first floor windows, replacement staircase and removal of fireplace.
-
- 26.**
Application No: 13/01178/HOUSE **Decision: Approval**

Parish: Staxton/Willerby Parish Council
Applicant: Mr I Moorhouse
Location: The Hollies Staxton Scarborough North Yorkshire YO12 4SW
Proposal: Erection of part two storey/part single storey extension to west elevation following demolition of detached garage, to include installation of 14 no. solar panels to southern roofslope of the extension.

27.

Application No: 13/01201/FUL **Decision: Approval**
Parish: Pickering Town Council
Applicant: Pickering Cricket Club
Location: Recreation Ground Mill Lane Pickering North Yorkshire
Proposal: Erection of 2 bay practice cricket cage

28.

Application No: 13/01213/HOUSE **Decision: Approval**
Parish: Claxton Parish Council
Applicant: Mrs S Hall
Location: Rose Cottage 24 Main Street Claxton Malton YO60 7SD
Proposal: Erection of part single-storey/part two-storey extension to the east elevation

29.

Application No: 13/01214/LBC **Decision: Approval**
Parish: Allerston Parish Council
Applicant: Mr J Christian
Location: Rhodelands Main Street Allerston Pickering North Yorkshire YO18 7PG
Proposal: Replacement of 2no. ground floor windows to front elevation and 1no. ground floor window to side elevation with timber single glazed units, and replacement of front entrance door

30.

Application No: 13/01267/TPO **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr Andrew Hague
Location: Swinton Grange Swinton Lane Swinton Malton North Yorkshire YO17 6QR
Proposal: To carry out various tree works in accordance with the submitted annotated Drawing Nos. 26431S/1 and 26431S/2 all within TPO No 267/2000 at Swinton Grange.

31.

Application No: 13/01283/TPO **Decision: Approval**
Parish: Norton Town Council
Applicant: Mr D Schiaffonati
Location: Karro Foods Ltd Westfield Way Norton Malton North Yorkshire YO17 9HG
Proposal: To carry out crown reduction to T1 & T2 (Willow) within TPO NO. 217/1996, in accordance with submitted annotated photographs.



Appeal Decision

Hearing held on 12 September 2013

Site visit made on the same day

by Isobel McCretton BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 November 2013

Appeal Ref: APP/Y2736/A/13/2197766
OS Field 4700, Low Lane, Westow, Malton

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Lambert against the decision of Ryedale District Council.
 - The application Ref. 12/00331/FUL, dated 29 March 2012, was refused by notice dated 8 November 2012.
 - The development proposed is a new farm house and redesign of farm building.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the rural area, having regard to national and local policy in respect of development in the countryside and the needs of the enterprise.

Reasons

3. The appeal site lies on the southern side of Low Lane and to the east of the village of Westow. Access is via a track from Low Lane, past a small timber yard. There is a cattle roundhouse on the site which was granted permission in 2010 and a large barn erected following agricultural prior notification in 2008. There is also a mobile home used by the appellant at calving time.
4. The appellant states that the farm business is spread over 3 sites totalling about 154ha; around 6ha at the appeal site owned by the appellant, 50ha at Haybridge Mill Farm, Skirpenbeck under a farm business tenancy (FBT), and 97ha at Scrayingham on a FBT on a year by year basis. The appellant currently lives in a rented house at Haybridge Mill Farm.
5. It is proposed to erect a 2-storey, 3-bedroom detached dwelling with attached utility/office to the south of the barn. Three of the bays of the barn would be removed and replaced at the other end. The house would be sited with the roundhouse and the modified barn. The buildings are on land which is higher than the adjoining road and so would be seen from both near and distant vantage points. The site lies in the Yorkshire Wolds which is a designated Area of High Landscape Value (AHLV). However sporadic farmsteads are a characteristic feature of the rural landscape. I therefore disagree with view expressed at the Hearing that the dwelling would harm the character of the

AHLV contrary to the recently adopted Ryedale Local Plan Strategy (2013) policy ENV3.

6. Nevertheless, the scheme would represent development in the open countryside where strict policies of restraint apply. The National Planning Policy Framework (2012) states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. These include the essential need for a rural worker to live permanently at or near their place of work. This is reflected in policy Local Plan Strategy policy SP21.
7. No definition of 'essential' is given in the Framework, but the main parties agreed that the functional and financial tests set out in the Annex to the now superseded PPG7: *Sustainable Development in Rural Areas* form a reasonable basis for such an assessment. The functional test establishes whether the enterprise whether the need for a full time worker to live at the site can be justified for the proper functioning of the enterprise, and the financial test addresses the viability of the enterprise and whether it can sustain the cost of the dwelling. If this is not the case then the development cannot be said to be sustainable; promoting sustainable development (economic, social and environmental) is 'golden thread' which runs through the Framework.
8. The main business of the enterprise is cattle breeding, though the business also includes sheep raising, plus arable and fodder crops. Following construction of the roundhouse it is intended to concentrate on cattle production and increase numbers. Calves would be born at the roundhouse throughout the year and after about 2 months would be sent to the other units for fattening.
9. Estimates given for labour are based on the three areas of land. The Council is concerned that, if a dwelling is to be permitted, the business at Westow is able to function as an enterprise in its own right as, although the main cattle rearing building is and would continue to be based here, there is relatively little land to support an agricultural business. It is understandable that the appellant has made what has been a significant investment in buildings on land that he owns rather than rents and this shows a commitment to the enterprise at this site. Similarly it is reasonable that Westow would be the location where he would want to build a dwelling for a stockman as it is where the main cattle rearing building is sited. However, while it is not unusual for farmers to rent land beyond their holding, in this case most of the land is rented. Although there is a comment that the 10 year FBT, i.e. relating to the largest area of land, can be renewed at the end of the tenancy, there is no substantiated evidence of security of tenure for either of the rented acreages in the representations. The Council requested additional details in this regard but none have been forthcoming.
10. The submitted agricultural appraisal shows that there is a need, over the enterprise as a whole, for at least two workers. When considering the planning application for the roundhouse in 2010, the Council queried the fact that it was some miles from the appellant's main farming enterprise at Skirpenbeck, but it was maintained that someone was at the adjoining timber yard every day and that remote supervision was not an issue. A diary for a month (20 Jan – 20 Feb) was submitted which shows that the appellant visited the site on average twice a day. This was noted as not being a typical month, but even so it did

not indicate a need for a continuous presence on the appeal site all the year round at that time.

11. At the Hearing the appellant explained that the roundhouse, which enables safe and efficient handling of the animals by one person, has proved to be very successful. To make best of use of it, cattle production is being expanded and will eventually be doubled and moved to a system of calving all year round. To this end a stockman is needed at Westow as there is a need for a continuous presence on the site, considered essential at calving time, in the interests of the welfare of the animals and for security. It is not practicable or safe to supervise a continuous calving programme remotely and calves are likely to be lost if not properly looked after. The appellant currently uses a mobile home on the site on occasions, but this is disruptive to family life and could not be contemplated on more frequent basis when even more cows have to be looked after with the developing business. The appellant argued that a reasonable house has to be provided to attract an experienced stockman who would be likely to have a family and there are no nearby dwellings for sale or rent which would be close enough.
12. I have taken these arguments into account, but I do not consider that it is clearly shown that the work needed at Westow itself is sufficient to need a full time worker at that site, or that the situation with the care of the herd is very different from the time that the roundhouse was built when it was considered that remote supervision would be acceptable.
13. Turning to the financial aspects, again the submitted information relates to the business as a whole. Although the appellant maintained that the Westow unit alone could support enough cattle to be viable in its own right, nowhere is this set out in the evidence. During the discussion at the Hearing it was apparent that various aspects of the business are not clearly identified. The banks may have been prepared to make loans for the buildings/purchase of the land despite the fact that most of the land is held on FBTs, but the bank is concerned with the security of its investment. That is not the same consideration I have to make. For the purposes of determining whether a dwelling on this land is essential and would be sustainable, the submitted figures do not demonstrate that the enterprise as a whole, and particularly a cattle rearing business solely at Westow, would be profitable and could support the construction of the proposed house.
14. Overall I conclude that insufficient evidence has been provided to clearly show, as required by Local Plan policy SP21 and the Framework, an essential need for a dwelling on the unit which would outweigh the objective of preventing unnecessary development in the countryside.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Isobel McCretton

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Paul Walker	Agent
Rod Cordingley	Surveyor
Joe Lambert	Appellant
Lesley Lambert	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Rachel Smith	Planning Officer
Roger Barnsley	Asset Management Surveyor

INTERESTED PERSONS:

Robin Graham	Westow Parish Council
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DOCUMENTS SUBMITTED AT THE HEARING:

Document 1	Council's letters of notification
Document 2	Extracts from Ryedale Local Plan Strategy
Document 3	Accounts year ended May 2012

DRAWINGS:

A1-5	Drawings submitted with the planning application
B1	Previous proposal (withdrawn)

Appeal Decision

Site visit made on 18 November 2013

by P Eggleton BSC(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 November 2013

Appeal Ref: APP/Y2736/D/13/2206009

6 Parliament Avenue, Norton, MALTON, North Yorkshire, YO17 9HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Simon Wall against the decision of Ryedale District Council.
 - The application Ref 13/00498/HOUSE was refused by notice dated 23 July 2013.
 - The development proposed is a two storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The plans illustrate a two storey extension that would form a continuation of the property at two storey height. The appellant has indicated that revised plans were submitted to the planning authority and the officer report indicates that various revisions were considered before a final decision was made. It appears clear that the final decision was based on the originally submitted plans. As they are the only plans I have been provided with, I have based my considerations on them.
4. The property currently has a two storey high bay window projection which provides some design interest. It breaks up the mass of the frontage giving it a well-proportioned appearance with a strong vertical emphasis to the design. The proposal would extend the frontage and as a result, the bay windows would become less prominent. The remainder of the frontage, which would have little design interest, would dominate the appearance of the dwelling. The original proportions and design are characteristic of the properties in this road and they would be lost. The proposal would detract from the character and appearance of the dwelling.
5. This proposal, if repeated would result in the two neighbouring properties having a relatively unrelieved front building line with only a small gap between them. The houses in Parliament Avenue were built as similar semi-detached properties with spacing between them, particularly at first floor level. This characteristic remains an important feature. The design proposed would, in addition to detracting from the appearance of the dwelling, result in harm to the wider character of the area.

6. There are a number of extensions in the vicinity which cover many differing design options. Number 11 appears to be very similar but I do not have the details of the circumstances that led to this being developed or the policies that were in place at that time. Number 5 does extend to the boundary but it also includes a large set back which helps to retain its original form. Others similarly include a set back at first floor level or are of a smaller scale overall. These extensions do not represent a good reason for accepting a proposal with no set back and a quite substantial width.
7. The combination of the width of the extension and its continued form to that of the main house, would detract from the appearance of the dwelling. This would harm the character and appearance of the wider area and if repeated, further detract from the character of this area of semi-detached properties. It would be contrary to Policies SP16 and SP20 of The Ryedale Plan - Local Plan Strategy 2013 as it would not reinforce local distinctiveness or respect the character or context of the host building or the locality. These policies accord with the *National Planning Policy Framework* which seeks high quality design.
8. I have considered all the matters put forward by the appellant but they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR

Appeal Decision

Site visit made on 5 and 25 November 2013

by Susan Heywood BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 December 2013

Appeal Ref: APP/Y2736/D/13/2204810

Orchard House, Middleton, Pickering YO18 8PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr G Richardson against the decision of Ryedale District Council.
 - The application Ref 13/00436/HOUSE, dated 15 April 2013, was refused by notice dated 13 June 2013.
 - The development proposed is a domestic garage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's reason for refusing the application related only to the impact of the proposal on the Conservation Area. However, the delegated report stated that the proposal will have "an overbearing impact on the neighbour's amenity"; although it does not specify which property or properties the Council had concerns about. The occupiers of both neighbouring properties at Whalebone Cottage and Orchard Garden expressed concern about the scale of the proposal. The Parish Council also stated that the proposal would have a detrimental impact on the adjoining properties.
3. A site visit was first carried out on 5 November to view the proposed garage from the appeal site and surroundings. A further visit took place on 25 November to view the proposal from Orchard Garden to the south. The appellant was given the opportunity to provide further comments on the impact of the proposal on the occupiers of Orchard Garden and these have been taken into account in this decision.
4. Policy H13 of the Ryedale Local Plan, relevant when the Council considered the application, has since been superseded by policies in the Ryedale Plan – Local Plan Strategy (the Ryedale Plan) which was adopted in September 2013. I have considered the appeal having regard to policies SP12, SP16 and SP20 of the Ryedale Plan which are in accordance with the National Planning Policy Framework (the Framework).
5. Planning permission was granted in 2011 for a detached garage in approximately the same position as that now proposed. According to the appellant's evidence, the approved garage was 1 metre lower at its ridge, at

least 30 centimetres lower at eaves level¹ and 85 centimetres narrower (front to back) than the garage now proposed. That permission could still be implemented and provides the fall-back in this case.

Main Issues

6. The main issues in this appeal are as follows:

- i. the impact of the proposed garage on the living conditions of nearby occupiers having regard to its scale, height and proximity to adjacent boundaries;
- ii. whether the proposal would preserve or enhance the character or appearance of the Middleton Conservation Area and the impact on its significance as a heritage asset.

Reasons

Living conditions

7. The proposed garage would be set close to the northern boundary of the garden to the property to the south known as Orchard Garden. An existing garage and wooden shed are sited within the rear garden of that property, along its western boundary, and the remaining garden is grassed up to the boundary wall with the appeal site.
8. The row of properties, in which the appeal dwelling sits, is located some considerable distance from the rear boundary wall at Orchard Garden. Consequently, the outlook from the outdoor space at Orchard Garden, towards the appeal site, is currently open above the boundary wall. The outlook in all other directions from the outdoor space is curtailed by the existing garage, the dwelling itself (to the south) and vegetation on the adjoining property to the east.
9. The gable wall of the proposed garage would extend along almost the full length of the currently open section of the shared boundary wall. The garage would be a tall structure; the ridge height of which would be considerably higher than the wall which is approximately 1.8 metres high on the side of Orchard Garden. Therefore a large amount of the gable wall would be visible from the outdoor space at that property. The garage would be located to the north of Orchard Garden and it would not therefore lead to overshadowing of the outdoor space. Nevertheless, the depth and height of the proposed garage would lead it to be viewed as an overly dominant and visually intrusive structure when viewed from the outdoor space at Orchard Garden.
10. It is noted that the approved garage would also extend for a considerable distance along the shared boundary and that it too would be a tall structure. The existing open outlook to the north of Orchard Garden would therefore be diminished by that garage should it be constructed. However, the approved garage can reasonably be considered to be at the limit of what would be acceptable having regard to the impact on the adjacent property. The increased height and depth of the garage now proposed would exacerbate the impact to the point where it would cause unacceptable harm to the living conditions of the occupiers of Orchard Garden. Although trees have been

¹ The appellant says the approved garage was 2.6m high to eaves whereas the Council say it was 2.4m

planted within Orchard Garden, close to the boundary wall, it is likely to take some considerable time for the canopies of those trees to grow to the point where they would effectively screen the proposed garage. In addition, they would only be effective as a screen in the summer months; during the winter they would be much less so.

11. I note that there is a similar large garage to the rear of the property at Southfield, to the west of Orchard Garden. However, the gable wall of that garage adjoins a parking area to its north and its roof slopes away from the large garden area to its west. It does not therefore have the same impact on adjoining properties as would the proposed garage.
12. For the above reasons, I conclude that the proposed development would harm the living conditions of the occupiers of the adjoining property at Orchard Garden. The proposal would therefore conflict with policies SP16 and SP20 of the Ryedale Plan, in so far as those policies seek to protect the amenity of nearby occupiers.
13. I note the concerns also expressed by the occupiers of Whalebone Cottage to the east. However, that property has a larger garden area with a more open outlook in other directions when compared to Orchard Garden. The highest point of the proposed garage would also be set away from the boundary with Whalebone Cottage. Its increased height would not therefore cause significant harm to the living conditions of the occupiers of that property.

Conservation Area

14. In the vicinity of the appeal site, the Middleton Conservation Area comprises rows of terraced properties with a linear form set alongside the A170. The properties here are constructed of warm local stone or red brick with pantile roofs. Some of the properties also display traditional window and door details, although this has been eroded to an extent by modern replacements to a number of properties. Nevertheless, the significance of the Conservation Area as a heritage asset is derived from this distinctive village form, use of materials and the traditional treatment of building openings where these survive.
15. Some of the more traditional properties, including the row of properties in which Orchard House sits, have long, narrow outbuildings to the rear; running perpendicular to the dwellings. However, there are several more isolated outbuildings behind the frontage properties and in this context the form and location of the proposed garage would not be incongruous. The Council express concern that the height of the proposal would harm the character of the Conservation Area. Despite the concerns regarding the height of the proposal and its impact on adjoining occupiers, as set out above, the area displays a variety of building heights both in the frontage properties and in rear outbuildings. In this setting the proposal would not have a harmful impact on the character, appearance or significance of the Conservation Area.
16. The proposed garage would incorporate three roller shutter doors and three roof-lights to the front of the building. The roof-lights would be relatively small and unobtrusive and a condition could be imposed to ensure that the roof-lights are of a type which sits within the roof plane to minimise their visual impact. On this basis, they would not be unduly harmful to the character, appearance or significance of the Conservation Area.

17. Nevertheless, the proposed roller doors would lend the building a modern and utilitarian character which would be at odds with the traditional materials to be used in the construction of the building itself. Whilst the garage doors would not be visible from the public realm, the character and significance of a Conservation Area is not simply derived from public views. The use of inappropriate materials and detailing can have a harmful impact on the character and significance of the area, both individually and cumulatively over time, despite their limited visibility from public vantage points. In this case, the proposed roller doors would harm the character and significance of the Conservation Area.
18. The Framework requires decision makers to give great weight to the conservation of a designated heritage asset when considering the impact of a proposed development on its significance. A balanced judgement must be taken having regard to the scale of harm and the significance of the asset. Whilst the proposal would be harmful to the character and significance of the area, I judge that harm to be less than substantial. In such circumstances, the Framework requires the harm to be weighed against the public benefits of the proposal.
19. The appellant has put forward the need for the proposed garage to provide secure storage for a number of vehicles which he owns and which are currently stored outdoors. However, the garage which has already been approved would provide covered storage for the vehicles and the benefit of storing them indoors could therefore be achieved by the erection of the approved structure. I appreciate that the previous approval was for an open fronted structure which would not therefore be secure. Nevertheless, it would be possible to construct a garage in this location which would incorporate more traditional door designs; thus providing the benefit of security whilst paying due regard to the need to preserve the character of the Conservation Area.
20. The appellant points out that roller doors would provide more space to the front of the garage for further vehicle parking. However, sufficient space exists to allow for the opening of more traditional doors together with a reasonable amount of parking to the front of the garage. The appellant has suggested the use of colours for the doors (to be agreed with the Council) or the use of timber-effect roller shutter doors. Neither of these options would be sufficient to overcome the harm. In particular I have no evidence before me to demonstrate that the latter would provide a convincing alternative to traditional wooden doors. This is not therefore a matter which could be overcome by the imposition of a condition.
21. I note the flat roofed garage at Whalebone Cottage, but the existence of development elsewhere does not justify allowing a proposal which is found to be unacceptable on its own merits. Finally, the appellant refers to the use of traditional clay pantiles for the roof of the proposed garage which are put forward as an improvement to the timber shingles proposed on the approved structure. However, I consider that both forms of roof material would have been acceptable in this location.
22. Accordingly, I conclude that, due to the design and material of the proposed garage doors, the development would harm the character of the Middleton Conservation Area and its significance as a heritage asset. That harm is not outweighed by the matters put forward in support of the proposal. The

proposal would therefore be contrary to policy SP12 of the Ryedale Plan which requires the conservation of designated heritage assets such as Conservation Areas.

23. For the reasons given above I conclude that the appeal should be dismissed.

Susan Heywood

INSPECTOR



Appeal Decision

Site visit made on 11 September 2013

by Isobel McCretton BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 December 2013

Appeal Ref: APP/Y2736/A/13/2197184

Land to rear of Station Road, Ampleforth

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Butler (David Wilson Homes Yorkshire (East) Division) against the decision of Ryedale District Council.
 - The application Ref. 12/00618/MFUL, dated 27 June 2012, was refused by notice dated 11 April 2013.
 - The development proposed is 30 residential dwellings with associated infrastructure.
-

This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 13 November 2013

Procedural Matters

1. On 5 September 2013, shortly before the site visit, the Council adopted The Ryedale Plan - Local Plan Strategy Development Plan Document (LPS). The main parties were given the opportunity to make representations about this document, but no further comments were received. I have taken the policies of the LPSPDP into account in coming to my decision.
2. The appellants submitted a S106 Obligation with the appeal. This sets out the arrangements for the provision of affordable housing on and off the site along with financial contributions towards a bus shelter, pedestrian crossing and towards off-site public open space. I return to these matters below, but I am satisfied that the provisions in the submitted document accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests for planning obligations set out in the National Planning Policy Framework (the Framework).

Decision

3. The appeal is allowed and planning permission is granted for 30 residential dwellings with associated infrastructure on land to the rear of Station Road, Ampleforth in accordance with the terms of the application, Ref. 12/00618/MFUL, dated 27 June 2012, subject to the conditions set out in the Schedule attached to this decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and setting of Ampleforth and on the natural beauty of the Howardian Hills Area of

Outstanding Natural Beauty (AONB), having regard to national and development plan policies for the delivery of housing.

Reasons

5. The appeal site, of just over 1ha of agricultural land, lies on the south eastern side of Ampleforth to the rear of the properties in Station Road. It is proposed to erect 30 dwellings, a mix of detached (11), semi-detached (8) and terraced (11) houses. Access would be taken from Station Road between two dwellings, Littlemore and Ashgarth, and the development would extend from the rear the houses in St Hilda's Walk to the rear of the electricity substation to the south of Ryecroft. Ten of the new dwellings would be affordable housing units.

Landscape/AONB

6. The site abuts, but is outside, the existing built-up area as defined in the adopted Rydale Local Plan (2002). It is therefore in the countryside where development is restrained. Paragraph 115 of the National Planning Policy Framework (2012) (the Framework) states that great weight should be given to conserving landscape and scenery in National Parks, the Broads and AONBs which have the highest status of protection in relation to landscape and scenic beauty. The effect on the landscape is therefore an important material consideration.
7. The historic linear core of the village, characterised by traditional stone-built cottages and houses, runs east-west along Main Street on the northern side of Ampleforth along the boundary with the North York Moors National Park. To the south, including along St Hilda's Walk and Station Road, the dwellings are more modern and suburban in nature with a mix of bungalows and houses. There is also a school and a churchyard on Station Road. These two distinct areas of the village are recognised in that it is only the older, historic part of the village which has been designated as a Conservation Area. The site is alongside the more modern southern part of the village, outside the Conservation Area
8. The linear layout of the proposed development would be consistent with the grain of development in much of the village. I consider that the design of the houses, amended after discussions with the Council, would reflect the key characteristics of the vernacular architecture of the older properties in terms of matters such as scale, massing (simple terraces and double fronted houses), elevations and fenestration details. Indeed, the Council's single reason for refusal takes no issue with the intrinsic design of the development.
9. The land rises from south to north, being steeper in the approach to Main Street. The site is at a lower level than the historic part of the village and I consider that the scheme would sit comfortably alongside the existing development. The boundaries of the development would be softened by a landscaping buffer along the eastern and western sides. Two trees on the Station Road frontage would be lost to facilitate access, but these are not high quality specimens. Within the main body of the site trees and hedgerows would be retained and supplemented by additional planting and there would be the potential, through landscaping, to increase trees and shrubbery.
10. Although it would be seen in views out of the Conservation Area and the village from the churchyard and St Hilda's Walk, the site would not be a dominant feature, being viewed in the context of other houses and, for the most part,

with only the roofscape visible because of the topography. Existing views out of the Conservation Area are not devoid of buildings and views of the site would be mitigated in part by additional planting. In long distance views, such as from Yearsley Moor, it would appear as part of the existing settlement, being closely related to existing development in the village which would frame it on two sides, rather than being a marked incursion into the countryside.

11. The Landscape Statement¹ submitted by the appellants assessed the landscape impact of the scheme in the short term, just after completion, and in the longer term (15 years post completion). It found that the likely magnitude of change to the northern part of the village would be negligible and that to the southern half low, both resulting in an adverse effect of minor significance. The use of roofing materials reflecting those of the wider settlement and the introduction of more native planting to soften the boundaries of the development would also reduce the impact on the landscape. The assessment concluded that the overall adverse effect on the landscape would be of minor significance in the short term, reducing to an adverse effect of negligible significance in the long term.
12. The detailed visual appraisal, assessing the site from a number of viewpoints both within and outside the village, concluded that there would not be significant visual effects because of the close relationship between the site and the existing settlement. Where views exist towards the site it would be seen in the immediate context of the established built form of the village.
13. The Parish Council expressed concern that the development would be 'situated on a hill and will be very prominent' and that it would 'have a massive impact on the Howardian Hills AONB'. Some local residents made similar objections. However there is no substantiated evidence before me, based on a comparable systematic appraisal to that of the Landscape Statement or with reference to published landscape character guidance, which contradicts its conclusions. The findings of the Landscape Statement accord with those of the North Yorkshire County Council's Landscape Officer who came to the view that the proposed development of the site would not have any lasting impact on the wider landscape setting of the AONB or the National Park as views into the site are quite limited from within the valley and becoming quite distant in views such as from Yearsley Moor. Overall I am satisfied that the natural beauty of the AONB would be conserved and that the character and landscape setting of Ampleforth within the AONB would not be compromised.

Housing Delivery

14. The Framework seeks to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development (the 'golden thread' which runs through the whole document). Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable sites.
15. In terms of future development requirements, the LPS designates Ampleforth as one of ten Local Service Centres (Service Villages) as a tertiary focus for growth. It is proposed that 300 houses will be distributed between the service

¹ Based on the guidance set out in the 'Guidelines for Landscape and Visual Assessment (GLVIA)' published by the Landscape Institute and the Institute of Environmental Management and Assessment (2013)

villages. There is no differentiation as to whether the villages are in, or outside, the AONB or any indication that there will be phasing of such development throughout the Plan period: policy SP2 indicates that, as far as possible, sites are to be distributed amongst all villages in the category. This gives a theoretical limit of 30 dwellings for each.

16. From the information before me it seems that the Council cannot, at present, demonstrate a five-year supply of housing land. This was confirmed in the committee report when the application was considered by Members in February 2013. A more recent paper in May 2013 in connection with the Local Plan examination identified 4.85 years supply. The appellants argue that this did not take into account previous under delivery and calls into question whether, to accord with the paragraph 47 of the Framework, an additional 20% needs to be identified. I do not have sufficient information before me about sites which have been identified to reach a firm conclusion in this respect but, for the purposes of this appeal, I am satisfied that there is currently less than 5 years supply so that the presumption in favour of sustainable development set out in the Framework applies unless the adverse effects of approving the scheme would significantly and demonstrably outweigh the benefits (paragraph 14).
17. The site is in a sustainable location adjoining the existing settlement boundary and has been considered as part of the site selection process to inform the Site Allocations DPD. Nonetheless, the Site Allocations DPD is not likely to be published until some time in 2014. The appellants' Landscape Statement examined all the sites which have been put forward in Ampleforth. It concluded that the appeal site was the most appropriate location to meet the housing need identified in the emerging LPS and the local housing needs survey. The other sites all raised more serious issues with regard to the effect on the landscape, setting of the village, views into and out of the Conservation Area and development constraints of the site itself. I note that the AONB Manager agreed with this assessment, and that the Officer's report noted that, of known sites for potential development in Ampleforth, the appeal site was considered to be the least visually intrusive.
18. I realise that the result of a parish poll was that the majority of those who voted were of the view that sites for new housing in the village should not consist of more than four houses. However, while the views of local people must be taken into account, I cannot give this significant weight. The appellants point out that the turnout for the poll was quite low. There is no indication as to any sound planning basis for this limit on future development. Moreover it would prejudice the delivery of affordable housing as this is sought where development comprises five houses or more.
19. Some objectors have argued that as the site comprises more than ten houses it would be an estate scale scheme which constitutes major development. As such it would be contrary to LSP policy SP2 which envisages small-scale development in or adjacent to current development limits and para 116 of the Framework which seeks to prevent major development in designated areas such as AONBs other than in exceptional circumstances and the public interest. The Framework does not define major development. This definition of ten houses being major development comes from the Town and Country Planning (Development Management Procedure) (England) Order 2010 and is used for determining which applications required a Design and Access Statement, the publicity which should be given to the proposal and the statutory period within

which the application should be determined. I do not consider that it is a definition intended to be applied in all planning situations and this has been confirmed in case law².

20. In my opinion this development of 30 houses in the context of the existing village development does not constitute major development for the purposes of paragraph 116 of the Framework. This view is shared by the appellants and the Council: the application was not refused on the basis of conflict with paragraph 116.
21. I conclude that the lack of a five year housing land supply and the presumption in favour of sustainable development in the Framework are material considerations of significant weight in this case.

Other Matters

S106 Obligation

22. The shortfall in housing delivery within the District has also resulted in an under provision of affordable housing to meet an identified need within the Borough. It is estimated that around 9 units per annum are needed in Ampleforth over a five year period. The S106 Obligation would secure 40% of the dwellings as affordable housing, 10 on site and a commuted sum for off-site provision of another 2 units. This is above the 35% normally sought by the Council through policy SP3 and, in contributing to the Borough's provision, weighs in favour of the scheme.
23. Objections have been raised about the impact of the proposed development on the local road network and road safety. The Highways Authority has not objected to the proposal and there is no substantiated evidence which shows a capacity issue on the surrounding roads. The S106 Obligation would secure a footpath along the eastern side of Station Road to St Hilda's Walk and a pedestrian crossing close to the primary school. There would also be improvements to a nearby bus stop.
24. The final matter in the Obligation is a £75,000 financial contribution in lieu of on-site provision of public open space. This would provide for improved children's, youth and adult recreation facilities in the parish. Given that the accommodation will be family housing I consider that such a contribution necessary to meet the additional need for public open space arising from the development.

Ecology

25. An Ecological Appraisal was submitted with the planning application. This found that, because of the species poor habitat, the proposed development would present minimal risk of significant impact on important, protected or designated sites, or on legally protected or otherwise valued species. It advised that clearance of trees and scrub should be undertaken outside the bird breeding season and be preceded by a nesting bird survey, that the boundary hedgerows should be retained and new boundaries be planted with native species to provide long term habitat for nesting and foraging and that bat boxes should be provided within the development.

² [2013] EWHC 1936 (Admin).

26. Local residents have expressed concerns about great crested newts and there are claims that corncrakes have been heard on the site. The Ecological Appraisal noted that the development presented no risk of significant impact to great crested newts or other amphibians. This was reviewed after further objections from third parties as a pond around 240m from the site had been omitted from the original assessment, but the conclusion did not change.
27. With regard to corncrakes, there has been no official record of the siting of these birds on the appeal site. The field does not represent good or valuable habitat for the species and it would not be a breeding ground. Although there may well have been incidental occurrences of these birds, the loss of the field for occasional visits would not have a significant impact on the conservation of the species.
28. Following the submission of additional information at the planning application stage, the Council's Countryside Management Officer found the conclusions with regard to any impact on great crested newts and corncrakes to be acceptable. I have no reason to disagree.

Adjoining Properties

29. The revised drawings considered by the Council show reasonable distances to existing properties so that there would not be unacceptable loss of privacy. Screen planting along the boundary would also limit views towards existing houses and soften the appearance of the new development in the outlook from the surrounding houses.

Conditions

30. I have considered the need for conditions in the light of the advice in *Circular 11/95: The Use of Conditions in Planning Permissions* and those suggested by the Council. I have amended and/or amalgamated some of the suggested conditions to accord more closely with the advice the circular and simplified others.
31. Otherwise than as set out in this decision and conditions it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.
32. In the interests of the appearance of the development within the AONB it is necessary to require approval of details of materials (including the provision of samples and erection of a sample board on site), finished levels, boundary treatment and a landscaping and planting scheme.
33. In the interests of highway safety and general amenity it is necessary to require full details of the access road and footways (including materials, street lighting, drainage, visibility splays and phasing), a construction management plan, provision of visibility splays before work begins and a restriction on the times for lorry deliveries of site materials during construction. Dwellings should not be occupied until the access to them has been constructed.
34. To ensure satisfactory and sustainable drainage of the site it is reasonable to require prior approval of full details of foul and surface water drainage. Also, before construction of the dwellings, measures need to be taken to divert or close the existing sewer on the site.

35. As advised in the submitted Ecology Statement it is reasonable to require details of bat boxes to be provided within the development.
36. To accord with sustainable travel objectives I shall also require details of Travel Plan to be submitted for approval. That suggested seems to me to unduly onerous and unreasonable. As written it would require the appellants to implement the Travel Plan over lifetime of the development which would not be possible once the dwellings are sold. I will therefore impose a simplified condition to require that the information is provided to the firsts occupiers of the site.
37. I agree that, to ensure adequate parking provision for future occupiers, the garages should be retained and not converted to habitable accommodation. The Council has also suggested that a number of permitted development rights should be withdrawn for units 4-15 (the terraced houses) so that the appearance of the dwellings is adequately protected and that adequate curtilage areas are retained for future residents. As these particular plots are constrained, I consider that it is necessary to withdraw such rights for extensions, garden buildings and oil storage tanks to ensure that sufficient garden area remains. Nonetheless, I do not consider that the need to withdraw rights relating to roof extensions, porches and satellite dishes, which do not take up amenity space, has been justified, especially as it is not suggested that this restriction would be applied to the other units in the development. In any event, the permitted development rights regarding roof alterations/enlargement and satellite dishes are more restricted within AONBs.
38. I have not imposed suggested conditions relating to the provision of a footway along Station Road, a pedestrian crossing and bus shelter as these matters, which are outside the appeal site, are contained in the S106 Obligation.
39. The appellants objected to the Council's suggested condition for a detailed landscape management plan because of their proposal to transfer the landscaped areas to future residents with provisions in the deeds to ensure upkeep and maintenance of the areas conveyed to them. However I consider that more detail of such arrangements is necessary so that the Council can be assured that the common areas will be satisfactorily maintained. I will therefore impose a condition to deal with this matter.

Conclusion

40. The site is in a sustainable location adjoining a village identified in the LSP as one of the 'Service Villages'. It is deliverable and would support existing services. I have found that there would not be a harmful impact on the character and landscape setting of Ampleforth, the natural beauty of the AONB or protected species and habitats. The site would deliver affordable housing, for which there is an identified need, at a level above the Council's normal requirements. Given the absence of an identified five year housing land supply, the principles of sustainable development and policies to boost the supply of housing set out in the Framework have significant weight in this case.
41. Having regard to paragraph 14 of the Framework, I do not find that the consequences of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole, even having regard to the location of the site within the AONB.
42. For the reasons given above I conclude that the appeal should be allowed.

Isobel McCretton

INSPECTOR

Schedule Of Conditions for Appeal Ref: APP/Y2736/A/13/2197184

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Except as may be required by other conditions below, the development shall be carried out in accordance with the following approved drawings: 10:1044:01B, 400A and 401B, 10:1027:10 – 27.
- 3) No development shall take place until full details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) All windows and doors and garage doors shall be constructed from timber, set in reveals of 75mm and finished in a paint finish to be agreed in writing with the local planning authority.
- 5) No development shall take place until a one metre square free-standing panel of the external walling to be used in the construction of the dwellings hereby approved has been constructed on site for the written approval of the local planning authority. The sample panel so constructed shall be retained until the development has been completed. The development shall be carried out in accordance with the approved details.
- 6) No development shall take place until plans showing details of a landscaping and planting scheme, including all existing trees and shrubs to be retained, shall be submitted to and approved in writing by the local planning authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate. The submitted plans and schedules shall indicate numbers, species, heights on planting and positions of trees and shrubs, including those to be retained together with details of the means of their protection during construction.
- 7) All planting, seeding and/or turfing comprised in the approved landscaping scheme shall be carried out in the first planting season following the commencement of development or in accordance with a programme which has first been agreed in writing with the local planning authority. Any trees or shrubs which within a period of five years from being planted die, are removed or become seriously damaged or diseased shall be replaced within the next planting season with other of a similar sizes and species.

- 8) Before the development commences, details of the arrangements for the long term maintenance and management of the open space area of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 9) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. All boundary treatment shall be completed in accordance with the approved details before any dwelling hereby permitted is occupied or in accordance with a schedule of phasing for boundary treatment which has been submitted to and approved in writing by the local planning authority.
- 10) Notwithstanding condition 2 no development shall take place until full details of the access, access road, footways and verges have been submitted to and approved in writing by the local planning authority. The particulars shall include highway construction details, surfacing materials, site sections, levels, surface water drainage, visibility splays, street lighting and any proposed phasing. They shall also include sufficient details and information to enable a desktop road safety audit to be carried out in accordance with the County Council document 'Road Safety Audit Protocol' dated January 2012. Development shall be carried out in accordance with the approved details.
- 11) There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until visibility splays providing clear visibility of 2m x 2m measured down each side of the access and the back edge of the footway have been provided. Within this area there shall be no obstruction to view above 0.6m from ground level.
- 12) No dwelling hereby permitted shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.
- 13) No development shall take place until a construction management plan has been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details. The details shall include:
 - (a) a lorry routing plan
 - (b) on-site parking for all staff and subcontractors' vehicles
 - (c) on-site material storage area (s) to accommodate all materials required for the operation of the site
 - (d) details of the provision and implementation of appropriate wheel washing facilities to prevent the spread of mud onto the adjoining highway
- 14) During construction works there shall be no medium goods vehicles up to 7.5 tonnes or heavy goods vehicles exceeding 7.5 tonnes permitted to arrive, depart, be loaded or unloaded on Sundays and public holidays nor

at any time except between the hours of 09.30 to 15.00 on Mondays to Fridays and 08.00 to 13.00 on Saturdays.

- 15) No construction of buildings shall take place until measures to divert or otherwise formally close the existing sewer that is laid within the site have been implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority.
- 16) No development shall take place until full details of foul and surface water drainage and a programme for implementation have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 17) No development shall take place until details of the finished floor and site levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 18) No dwelling hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority showing how the use of alternative modes of transport other than the private car will be encouraged and up to date details of public transport services made available to the initial occupiers of the development. The Travel Plan shall be implemented in accordance with the approved details.
- 19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), the garages hereby approved shall not be converted to habitable living accommodation.
- 20) In respect of plots 4-15, notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no development falling within classes A, E and G shall take place.
- 21) Before development commences details of the type and location of bat boxes to be located on the new dwellings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.