

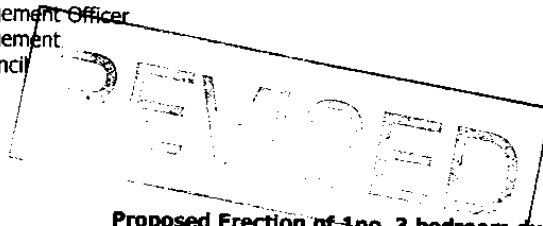


YEW TREE ASSOCIATES

LAND, PLANNING AND DEVELOPMENT CONSULTANTS

29<sup>th</sup> October 2014

Mrs R Smith  
Development Management Officer  
Development Management  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH



Dear Mrs Smith,

**Proposed Erection of 1no. 3 bedroom dwelling with attached carport and a terrace of 1no. 3 bedroom and 2no. 2 bedroom dwellings with associated parking and amenity areas at Mount Farm, Main Street, Westow, Malton for Mr and Mrs N Landers. Planning Application Ref. No. 13/00885/FUL.**

Further to our continuing discussion on the above we have submitted further revised drawings which we believe address the concerns of both yourself and the Parish Council.

By way of explanation please see below the following:-

Parish Council Comments

Bramhall Blenkharn Architects, for the scheme, have assessed the Parish Council's comments as follows:-

1. The scheme has been designed, discussed and amended over time with the planning officer and conservation officer at RDC. The terrace of 3 properties is situated along the grain of the plots applicable to this and the eastern plots of Westow village. The size of the terraced units have been amended over time, to decrease the physical front to back footprint, thereby creating smaller scale gables. The plan form consists of a principal and ancillary room as a footprint front to back rather than the usual two main rooms. Similarly, the eaves height has been reduced to a level which is a balance between scale and practicality. The actual eaves height is 4.2m, considerably less than the normal eaves height of a 2 storey dwelling.
2. The parking issue raised has been addressed by amending the site layout, to incorporate parking spaces to either end of the short terrace, with only the mid terrace having parking in front of the dwelling. Additional site planting has been provided as shown on the revised layout plan. The intention is to provide a very informal access into the site, so that the road acts as an informal shared surface. The road surface would not be tarmac, but either block paved or a resin type bound surface- and I would agree with the Parish Council in it not being a black tarmac surface. I would also make the point, that the preference would for the scheme would be to not have street lighting as part of the development.

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3. To facilitate the requirement of refuse vehicles turning near or adjacent to the development, a new adoptable turning head has been designed immediately adjacent to the northern boundary. This has the added advantage of creating a facility which has been previously lacking from Chapel Lane, which surely is of considerable benefit to those nearby properties?

4. In terms of the numbers of houses on the site, we suggest that the density, scale and layout is appropriate to the context of surrounding properties. The physical footprint of the new dwellings is considerably less than the existing buildings on site, and the resulting open space within the confines of the site, with enhanced planting will be of a net benefit to the area.

We feel that the amended plans and site layout go a long way to addressing the concerns of the Parish Council.

#### Local Needs Policy and Affordable Housing

In respect of your request for further justification of our proposals to include an affordable housing unit in lieu of the application of the Local Needs policy we can comment as follows:-

Within the market towns and service villages all residential development triggers a requirement for the provision of affordable housing either on site (where it relates to the 5 houses or more or exceeds 0.2 hectares) or a contribution based on 9% of market value of the site. This requirement does not apply to non-service villages such as Westow in the recently adopted Local Plan Strategy because they are subject to a local needs occupancy condition which in itself would affect viability.

In this case however the application was submitted on the basis of the earlier adopted Ryedale Local Plan. As a result, it includes the provision of 1 no. two bed roomed affordable house on the site together with a commuted sum.

The Strategic Housing Market Assessment demonstrates that the Derwent Ward has a current need of need of 27 and annual need of 14 the need of which is for one beds (36%) and two beds (64%).

We have previously stated that:-

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

*4.34 Increasing the supply of new affordable homes is a priority in Ryedale in order to address the acute affordable housing need in the District.*

*Securing new affordable housing through the planning system is one of the most effective ways in which this can be achieved.'*

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

In addition Policy SP3 follows and states:-

#### *'SP3 Affordable Housing*

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

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

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

*Affordable Housing from Developer Contributions*

*The Local Planning Authority will seek the provision of:*

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

*Policy SP2 of the Ryedale Plan as referred to above states that:-*

*'The sources of new housing that will contribute to the supply of new homes across the District are as follows:*

*Other Villages..... Infill development (small open sites in an otherwise continually built up frontage) restricted to Local Needs Occupancy*

- Replacement dwellings*
- Sub-division of existing dwellings*
- Conversion and Redevelopment of Previously Developed Land and buildings within Development Limits, restricted to Local Needs Occupancy.'*

The proposal however is for 4No dwellings and therefore there is no requirement for affordable housing with the scheme. However, in the light of the requirement for the dwellings to be only sold to those persons who would comply with the Local Needs Occupancy restriction, we believe that in the light of the fact that the application was submitted well before the Ryedale Local Plan was adopted, that there is a case for an alternative response to the Local Needs Occupancy Policy and this is as follows.

In the light of the above we propose that the application is considered under Policy SP3 in terms of a percentage requirement and this would result in 35% x 4 dwellings i.e. 1.4 dwellings. We therefore propose that Plot 3, a 2 bed unit is provided as an affordable unit with the remaining 0.4 of a dwelling being provided by means of a commuted sum as part of the scheme. This is despite it not being required under the latest Ryedale Plan policies.

By way of supporting evidence for the type of unit, we have investigated the affordable housing needs with Colin Huby, the Council's Rural Housing Enabler he has confirmed that:-

*'In the existing affordable stock in Westow and Yorkshire Housing has 13 x 2bed bungalows (elderly accommodation) and 5 x 3bed houses. (See below for relets on the bungalows and 1 x 3bed house). Future relets will have fewer bids as people with a local connection will now get priority.*

*Westow parish has approximately 160 households and comes under Derwent ward. No parish survey has been done but the SHMA shows Derwent ward having current need of 27 and annual need of 14 the need of which is for one beds (36%) and two beds (64%). A two bed affordable house (general needs) would probably be our preference due to the absence of such properties in the parish.'*

*'Over the past 18 months there have been 4 x 2 bed bungalows let for over 55's – 52, 40, 14 and 13 bids (the most recent being in Dec 2013).*

*The only family home to be let under NYHC in the past couple of years in Westow is: 3 bed house let in March 2012 – 52 bids.'*

*(Our emphasis)*

In addition, we find support for the affordable house type provision in the North Yorkshire Strategic Market Housing Assessment which states:-

*'Future Need for Affordable Housing*

*1.36 If North Yorkshire were to meet the needs of all households who cannot afford to buy or privately rent a home on the open market<sup>14</sup> it would have to deliver 2,808 affordable dwellings (excluding Selby) each year over the next 5 years. This is shown in the table below.*

Figure 10: Net Annual Affordable Housing Need (Next 5 Years) – North Yorkshire

Net Annual Affordable Housing Need – North Yorkshire & Local Authorities

Craven	Hambleton	Harrogate	Richmondshire	Ryedale	Scarborough	City of York	Nth Yorkshire	
218	320		507	260	256	457	790	2,808 Total

Source: North Yorkshire SHMA, 2011

1.37 In particular, there is currently a shortfall in smaller 1 and 2 bedroom and larger 4 or more bedroom affordable properties across North Yorkshire. The shortage of these property types is making it harder for the authorities of North Yorkshire to meet the housing needs of households who cannot afford to buy or privately rent a home on the open market.'

(Our emphasis)

The applicants are currently in negotiation with Broadacres Housing to find a suitable tenant to occupy the affordable housing unit proposed.

We submit therefore that this proposal is an equitable solution to the current issue of the application of the new Local Needs Occupancy in the Ryedale Plan in the light of the delay in determining the application and would provide an additional affordable housing dwelling in the village of Westow to meet local needs which would ordinarily not be required under current planning policy.

In light of the above and on balance, we therefore submit that the proposal should be considered acceptable under Policy SP3 of The Ryedale Plan – Local Plan Strategy.

We find further support by turning to Government guidance on the issue of housing supply and rural housing and we note that Paragraph 49 of the NPPF states:-

*'Housing applications should be considered in the context of the presumption in favour of sustainable development. 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 housing sites.'*

In addition paragraph 001 of the NPPG states:-

*'A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.'*

*'Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.'*

(Our emphasis)

The Council currently accept that they cannot meet the 5 year supply requirement and government guidance advises that all settlements can play a role in providing rural housing, as such we would submit that the NPPF and NPPG provide further support for the application to be approved.

We conclude therefore that in the light of the amendments made to the scheme to address the Parish Council comments and the guidance contained in NPPF and NPPG that there are now no other planning reasons that would warrant a reason for refusal of the scheme.

Yours Sincerely,

S.M. Newby. Dip T&RP MRTPI  
Chartered Town Planner  
Director.