

**GARDEN PLOTS
MAIN STREET
WHITWELL ON THE HILL
YO60 7JJ**

**FULL PLANNING APPLICATION:
PROPOSED RESIDENTIAL DEVELOPMENT
PAIR OF SEMI DETACHED DWELLINGS**

PLANNING STATEMENT

**PREPARED ON BEHALF OF
MRS S BROTHERTON & MISS S BROTHERTON**

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LILIAN COULSON PLANNING CONSULTANT

1.0 INTRODUCTION

- 1.1 This Statement is made in respect of the proposed development of a pair of semi detached houses on land to the west of The Gardens, Main Street, Whitwell on the Hill. The site lies within the development limits of Whitwell on the Hill. There is no Conservation Area within the village, but the whole area lies within the Howardian Hills AONB. Full planning permission is sought for a pair of 2 bed semi detached dwellings, which will be offered for rent, of a similar design to many others that the applicants have previously received planning consent for and built within the village.
- 1.2 This Statement outlines the site and surroundings and the nature of the proposed development. It sets out the relevant planning policy context at national, regional and local level and assesses the proposed development against this policy.

2.0 SITE AND SURROUNDINGS

- 2.1 The development (application) site comprises an area of approximately 0.0624 hectares (0.154 acres) and is located towards the western end of the main street of the village. Including the hedges in front of the neighbouring cottages to the east – NYCC Highways has requested that they be included in the red line to assist in achieving their requested visibility – the application site comprises an area of approximately 0.0678 hectares (0.167 acres). It is an infill windfall plot located within a cluster of other residential properties. The site comprises former garden land, now unused scrubland, and is located to the east of North Lodge and west of The Gardens / Pear Tree Cottage (another pair of semi detached houses) opposite the Paddock and the Cricket Field.
- 2.2 The site is well related to the existing settlement and is contained by existing housing and gardens to the east and west. It is a gap in the streetscape that lies within the approved Development Limits. The current area of scrubland is an 'anomaly' in the street-scene as it provides an untidy break in the frontage of a generally quiet (but adopted) residential street, that is lined with houses of various ages, sizes and character, to reflect the fact that the village has grown organically.
- 2.3 The majority of the existing properties on Main Street are a mix of 2 storey semi detached and terraced houses, and some detached dwellings. The newer build property to the rear of North Lodge (North Lodge Barn) is of a slightly larger scale and lies slightly higher (as the ground rises to the north), but all are within spacious plots to provide a good level of amenity. Most of the properties, especially those to the north side of Main Street which are generally set back further, have extended single width driveways to the side of each house to satisfactorily accommodate parking for their residents. Many have retained hedging to the front and sides to provide a green rural streetscape to the village. The properties vary in scale, design and setting and achieve cohesiveness through careful use of materials and detailing.

- 2.4 The site (as per other properties on the north side of Main Street) has a slight fall from north to south, with properties generally 'dug out' to provide satisfactory accommodation and gardens. Drainage works necessary to stop previous surface runoff issues has been undertaken and resulted in the contractor digging out an extended area. The only vegetation is overgrown grass, with mature hedges to the east and west..
- 2.5 As a small site, it is unallocated under the provisions of the adopted Ryedale Local Plan and the recently adopted Local Plan Sites Document. It is not subject to any statutory designations in respect of any ecological, landscape or historic interest. It lies within the current development limits of Whitwell on the Hill, and the whole settlement lies within the Howardian Hills AONB. By nature, the site is an 'infill' site and its development would complete the streetscape in this part of the village, whilst providing much needed additional housing in a sustainable location.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposed development is for the erection of a pair of semi detached houses, comprising 2no x 2 bed dwellings. Parking to meet NYCC standards will be provided by way of extended driveways to the side of the properties, as per the majority of other dwellings on this north side of Main Street.
- 3.2 The building will be of traditional design and materials, designed to fit in with the local vernacular as per many of the other dwellings previously approved and constructed by the applicant in the village. The dwellings will be 2 storeys in height as per the surrounding dwellings – the streetscape drawing shows that they will be no higher than surrounding dwellings.
- 3.3 The proposed layout seeks to retain hedges where practicable, with planting / landscaping to soften boundaries and the streetscape to seek compatibility with boundary treatment of other dwellings on Main Street. Pre-application discussions have been held with North Yorkshire County Council's Highways officers to ensure that satisfactory visibility could be achieved for the proposed and surrounding dwellings within this context, and any proposed alterations to hedges and front boundary treatment area are as a consequence of their advice.
- 3.4 Full details of the proposed scheme are shown on the drawings by Prospect Design and as discussed within this Planning Statement which forms part of the planning application.

4.0 PLANNING POLICY CONTEXT

National Planning Policy

- 4.1 National policy is now contained in the National Planning Policy Framework (NPPF), issued by the Government in March 2012, as well as in subsequent Housing White Papers (such as 'Fixing our local housing market' in April 2017) and NPPF updates and other Government

Reports. The NPPF replaced the Planning Policy Statements (PPS) and the majority of their technical guidance supplements. The NPPF sets out under Annex 1 the way in which it is to be implemented following publication. It makes clear how development plan policies should be treated in terms of material considerations in relation to the determination of planning applications. Paragraph 214 sets out that full weight should be given to policies adopted since 2004 (subject to the caveat at footnote 39) for 12 months from the day the NPPF was published. Paragraph 215 sets out that following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

- 4.2 The NPPF is therefore a material consideration in all planning decisions. The starting point for all decisions on applications is the local development plan unless material considerations indicate otherwise. There is now an accepted presumption in favour of sustainable development and this is to be seen as *'a golden thread running through plan making and decision taking'*. Therefore, development proposals which accord with the development plan should be approved without delay. If the development plan *'is absent, silent or relevant policies are out of date'*, planning permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole, or specific policies in the Framework indicate development should be restricted.'*
- 4.3 The whole of the NPPF elaborates on what constitutes sustainable development for the purposes of planning policy and interpretation. Essentially it is summarily defined as having three dimensions: economic, social and environmental. These three dimensions are mutually dependant. *'Therefore, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system'*. (Para 8)
- 4.4 A set of 12 core planning principles are established in Paragraph 17 of the NPPF and these are to underpin plan making and decision taking. These include:
- Decisions being plan led with a high degree of predictability and efficiency.
 - Should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve places in which people live their lives.
 - Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
 - Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
 - The transition to a low carbon future is to be supported, including taking full account of flood risk.
 - 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.
- 4.5 In the first section of the NPPF under the heading 'Building a strong competitive economy' there is recognition that the lack of sufficient housing can be a barrier to investment.

Sustainable economic growth is to be positively and proactively encouraged. Further more recent recognition of the need for more housing was set out in the 2017 Housing White Paper, as well as in the House of Commons Communities and Local Government Committee Report in April 2017 which stated that the Government must end the dominance of large house builders if it is to fix the UK's broken housing market. Both recommended the need for small sites to provide choice for the market, provide much needed homes and also to keep small businesses alive. The White Paper 'Fixing our local housing market' stated that *'Policies in plans should allow a good mix of sites to come forward for development, so that there is choice for consumers, places can grow in ways that are sustainable, and there are opportunities for a diverse construction sector. Small sites create particular opportunities for custom builders and smaller developers. They can also help to meet rural housing needs in ways that are sensitive to their setting while allowing villages to thrive.'* In particular, it's proposed change to the NPPF advocates: *'national policy to expect local planning authorities to have policies that support the development of small 'windfall' sites (those not allocated in plans, but which come forward on an ad hoc basis); and that indicate that great weight should be given to using small undeveloped sites within settlements for homes, where they are suitable for residential development.'*

- 4.6 Section 6 of the NPPF deals with the delivery of a wide choice of quality homes. The supply of housing is to be significantly boosted. A five years deliverable land supply is to be maintained with an additional 5% buffer supply to ensure choice and competition in the market for land. This buffer is to be increased to 20% where there has been a record of persistent under-delivery of housing. The Inspector who considered the Ryedale Core Strategy concluded that Ryedale is a local authority that has a record of persistent under-delivery with the Council confirming that it did not have a five year land supply. The housing and economic policy requirements of the Local Plan Strategy have been formulated accordingly.
- 4.7 All housing applications are to be considered in the context of the presumption in favour of sustainable development. If the local planning authority (LPA) cannot demonstrate a five years supply of deliverable sites, then the relevant policies for the supply of housing should not be considered up to date. A good mix of types of housing are to be provided in order to deliver a wide choice of high quality homes and to widen opportunities for home ownership. Where an affordable housing need has been identified, policies should seek to meet this need on-site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
- 4.8 To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. LPAs should avoid new isolated homes in the countryside unless there are special circumstances.
- 4.9 Section 7 of the NPPF sets out the general policy expectations for achieving high quality design. *'The Government attaches great importance to the design of the built environment.'*

Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making better places for people.'

- 4.10 Planning policies and decisions should establish a strong sense of place, optimise the potential of the site to accommodate development and respond to local character and be visually attractive as a result of good architecture and appropriate landscaping). (Para 58)
- 4.11 LPAs are to approach decision taking in a positive way in order to foster the delivery of sustainable development (para 186). LPAs should look for solutions rather than problems and applications for sustainable development should be approved wherever possible (para 187). Pre-application engagement and the 'frontloading' of negotiations is strongly encouraged (paras 188 to 195).
- 4.12 LPAs should only use planning conditions and obligations where these are necessary to make a development acceptable. Planning obligations in particular must be directly related to the development and fairly and reasonably related in scale and kind (para 204). LPAs should take account of changes in market conditions over time and be sufficiently flexible to prevent planning development being stalled. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all respects (paras 205 and 206).

Local Planning Policies

- 4.13 The relevant local policies in the adopted development plan are contained in the Regional Strategy for Yorkshire and the Humber (RSS – adopted May 2008) and the Ryedale Local Plan (adopted 2002). The Order to revoke the RSS (as amended, to retain the York Green Belt) came into force on 22 February 2013 and therefore its policies can no longer carry any weight. The Ryedale Local Plan was adopted in 2002 and was, until recently, the adopted statutory Development Plan for the District. In September 2007 a number of policies within the Plan were confirmed as 'saved' until such time as they are superseded by adopted policy from the emerging LDF. Until the full suite of LDF documents were adopted, Ryedale District Council did not have an up to date development plan. The implication was that due weight had to be given to the policies in emerging LDF documents, but only to the extent that any draft policies are consistent with the NPPF, evolving national policy and any documents of the Plan adopted to date.
- 4.14 The Council has spent many years progressing through the various steps required to replace the adopted Ryedale Local Plan with the new style Local Plan. The Local Plan consists of a number of documents which are topic specific and subject to separate drafting processes, including independent examination by an Inspector on behalf of the Secretary of State, prior to adoption. The new development plan is known as The Ryedale Plan and comprises the Local Plan Strategy (the Core Strategy) document, the Local Plan Sites (Sites Allocation) Document, the Helmsley Plan and Proposals Map. On 5 September 2013, Ryedale District Council adopted the Ryedale Plan - Local Plan Strategy Development Plan Document (DPD). The Ryedale Plan – Local Plan Strategy is part of the new replacement Local Plan for the

District. It sets out the long-term vision, objectives and planning strategy for 15 years to 2027. The adoption of the Ryedale Plan - Local Plan Strategy means that almost all of the 'saved' Ryedale Local Plan Policies adopted in 2002, have now been replaced. However, whilst most of the policies have been superseded, the adopted proposals maps for the district and towns and village inset maps remained as part of the Development Plan only until the replacement Local Plan Sites Document was adopted.

- 4.15 On 28 June 2019, Ryedale District Council issued a Statement giving notice that it had adopted the Ryedale Plan - Local Plan Sites Document Development Plan Document and the Policies Map on 27 June 2019. The Ryedale Plan – Local Plan Sides Document is the final part of the Local Plan for the District. It identifies commitments and allocations for housing, retail and employment land, and provides site specific policies, including policy for new and amended Visually Important Undeveloped Areas. The Plan covers the period 2012- 2027. The Policies Map shows in plan form all the site/area- specific policies or designations. The adoption of the Ryedale Plan - Local Plan Sites Document and Policies Maps means that all of the 'saved' Ryedale Local Plan Policies, adopted in 2002, have now been replaced, including the Proposals Maps. The Ryedale Plan - Local Plan Strategy has been subject to an examination by an independent Planning Inspector appointed by the Secretary of State between March 2018 and June 2019. The Inspector's Report was published on the 4 June 2019. The adopted Ryedale Plan - Local Plan Sites Document and the Policies Maps incorporates the Main Modifications recommended by the Inspector and set out in the appendix to the Inspector's report. There are also a number of minor Additional Modifications.
- 4.16 The adopted Whitwell on the Hill Ryedale Local Plan Policies Map (dated 2018) confirms unchanged the previous draft map approved by Planning Committee 11 October 2017. As previously stated, the site lies within the Development Limits (SP1) and within the Howardian Hills AONB (SP13).
- 4.17 Local Plan policies of the adopted Ryedale Plan - Local Plan Strategy and now the adopted on the Local Plan Sites Document relevant to this application are summarised as follows:

SP1 GENERAL LOCATION OF DEVELOPMENT AND SETTLEMENT HIERARCHY states that Ryedale's future development will be distributed and accommodated in line with the Spatial Strategy Summary and on the basis of the following hierarchy of settlements:

- Principal Town - Primary Focus for Growth
- Local Service Centres (Market Towns) – Secondary Focus for Growth
- Local Service Centres (Service Villages)- Tertiary Focus for Growth

SP2 DELIVERY AND DISTRIBUTION OF NEW HOUSING states that the delivery of at least 3000 (net) new homes will be managed over the period 2012-2027. The new housing land allocations are to be distributed as follows:

- Malton and Norton – 1500 dwellings (50%)
- Pickering – 750 dwellings (25%)
- Kirkbymoorside – 300 dwellings (10%)
- Helmsley – 150 dwellings (5%)
- Service Villages – 300 dwellings (10%)

A further 'supply buffer' as part of the plan making process which is the equivalent of an additional 20% of the District's planned housing requirement (600 homes) is also to be provided in order to build flexibility into the plan in a plan-led way. To ensure that this additional supply buffer complements the strategic approach of the plan, this additional supply is identified at those settlements in the settlement hierarchy where the Plan directs housing growth.

And as well as the 'supply buffer' approach to housing land supply, the LPS establishes a local policy approach (The 'Zone of Tolerance') which supports the delivery of an additional 25% (750) of homes over and above the minimum 3,000 requirement. The LPS makes it clear that a sufficient and flexible supply of housing land will be identified in order to ensure these requirements are met. It states that, on this basis, the Council is committed to identifying sufficient land in full to meet housing requirements and that an assumption for an amount of housing coming forward from future unanticipated or 'windfall' sources will not be used to reduce the amount of land that will need to be identified for new housing. This thereby confirms policy support for the delivery of windfall sites and, as development within Development Limits in non Service Villages is permitted (subject currently to occupancy conditions), the policy criteria that support the development of this site is met in full.

SP4 TYPE AND MIX OF HOUSING seeks to secure an appropriate mix of housing on new development schemes and safe residential environments. The type and size of new housing will be expected to address identified stock imbalances or, alternatively, in those locations where the stock is currently more balanced, to ensure a range of dwelling types and sizes are provided in order to retain a balanced housing stock and provide choice in the housing market. To ensure housing is well designed and supports safe and inclusive communities, adequate private individual amenity space will be required to be provided as part of the development of new houses or retained as existing homes are extended. Outdoor environments should be designed to be safe and inclusive and to take account of the requirements of people of all ages and abilities

SP10 PHYSICAL INFRASTRUCTURE relates to physical and community infrastructure and any required infrastructure improvements. The policy acknowledges that where some upgrading may be necessary or desirable, the developer contributions and CIL, together with Public Funding / Capital Programmes of public sector service providers and the various Infrastructure utility providers, will fund those upgrading works required to local infrastructure.

SP11 COMMUNITY FACILITIES AND SERVICES supports the expansion of and improvements to local facilities, as well as new provision in appropriate locations, and sets out requirements for community facilities including open space, recreation and leisure facilities. However, CIL will allow some contribution to be passed to the local community.

SP16 DESIGN states that development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which: reinforce local distinctiveness; provide a well-connected public realm which is accessible and usable by all, safe and easily navigated; and protect amenity and promote well-being. Furthermore, to reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings.

SP18 RENEWABLE AND LOW CARBON ENERGY requires that for all new build residential development, the proposal demonstrates that it meets the highest 'Code for Sustainable Homes' standard (or its successor) that is feasible and viable on the site. Currently only part of these standards is to be mandatory through Building Regulations because the Council considers that Building Regulations have a minimum or lowest common denominator approach to all building types in different locations. These standards will apply until a higher national or locally-determined standard is required. In Ryedale all development should be built to as high a standard as is feasible and viable. However, any requirements sought will still need to meet Government advice and ensure that any consent remains marketable and consequently implementable.

SP19 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise.

SP20 GENERIC DEVELOPMENT MANAGEMENT ISSUES reiterates the Council's commitment to the preservation of the District's character, good design, amenity and safety, and suitable access, parking and servicing in new developments.

SP22 PLANNING OBLIGATIONS, DEVELOPER CONTRIBUTIONS AND THE COMMUNITY INFRASTRUCTURE LEVY confirms that new development will contribute to the place-making objectives and aspirations of this Plan and to the infrastructure necessary to support future development in the District. The Local Planning Authority will continue to negotiate planning obligations/ developer contributions as required but now charges a Community Infrastructure Levy (CIL) to address the necessary improvements to social, physical or utility infrastructure which are required as a result of new development. Planning obligations will be sought to regulate development, to address necessary on-site mitigation measures to address its impact or to provide compensation for the loss or damage to a facility, feature or resource of acknowledged significance. In negotiating contributions, the Council states that it will have regard to development viability; any proposed reduction in contributions will be weighed in the balance against the benefits of a scheme.

5.0 THE PLANNING CASE

- 5.1 The proposed development is highly sustainable and combines benefits under the economic, social and environmental dimensions of sustainability:

- The creation of a pair of semi detached dwellings is an efficient use of this small area of former garden / scrubland that is now surplus to requirements. This contributes to helping meet the considerable need for housing in a variety of locations, for a need of sites of various sizes and for different sectors of the market that exists in Ryedale.
- The development contributes to the social dimension by providing additional housing, to meet the needs of the present and future generations. It will create a high quality built environment in an accessible location with reasonable access to local services and employment, which is outside but also within easy access of the main market town of Malton / Norton and the major employment centre of the National Agri-Food Innovation Campus (NAFIC) at Sand Hutton.
- The development makes a contribution to improving the built environment and assists in achieving climate change objectives.

5.2 The starting point for considering all applications is the Development Plan. If a proposal is in accordance with an up to date Development Plan, it should be approved. The Ryedale Plan - Local Plan Strategy (adopted in September 2015) is part of the new replacement Local Plan for the District and sets out the long-term vision, objectives and planning strategy for 15 years to 2027. The Ryedale Plan - Local Plan Sites Document Development Plan Document and the Policies Map (adopted on 27 June 2019) confirms the village inset map for Whitwell on the Hill (dated 2018). The application site lies within the settlement's Development Limits of the adopted Local Plan Proposal Maps Village Inset, where under Policy SP2, as an 'other village', infill development (small open sites in an otherwise continually built up frontage) is permitted so long as restricted to Local Needs Occupancy. The Village Inset Map clearly demonstrates that this is the case here as the proposed development would fill this 'gap' on the northern side of Main Street. Consequently, in these circumstances the NPPF states that permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'* when assessed against the NPPF policies taken as a whole. We will demonstrate that there are no adverse effects and that there are clear benefits to the proposed development and therefore the presumption in favour of sustainable development should be followed in this case.

5.3 The proposals comprise a small scale sensitive development of a pair of semi detached dwellings in a residential street, where policies clearly allow further growth from infilling and small-scale development within the defined Development Limits on the Proposals Map. Whilst garden areas are not considered to be previously developed land, the site is now overgrown land that is surplus to requirements and is an unattractive part of the streetscene that adds nothing to the AONB within which it is sited. It should be noted that Ministers purposely omitted the term 'brownfield' from the NPPF as it supports the development of land for housing in principle in **all** sustainable locations, irrespective of whether land would previously have been classified as 'greenfield' or 'brownfield'.

Housing Mix / Design and Local Needs Occupancy

5.4 Background evidence for the LDF revealed that the housing stock in Ryedale is generally in balance with the housing requirements of those local people who can afford to buy properties.

However, with a recognised national problem of housing affordability for those wishing to get onto the housing ladder, there is generally a shortfall of smaller houses available for those seeking to live in locations near family or friends or local employment, and seeking a more rural lifestyle away from the market towns. The applicants are local landowners who have developed many other 2 and 3 bed houses in the village that are available for rent, and have previously demonstrated their ability to build spacious well designed accommodation that respect the local vernacular and fit well into the local streetscape. The proposed development of two 2 bed semi- detached houses with on plot parking (to meet NYCC Highways' standards) and attractive easy to maintain gardens, in a rural location yet within easy proximity to all of the services and facilities in Malton and Norton, will provide an attractive offering for those needing a well designed energy efficient home with modern conveniences within reasonable proximity of but not within the main town. Advice was sought on various design options from Malton estate agent Rounthwaite and Woodhead prior to the design being finalised who advised that there is outstanding demand in Whitwell on the Hill and the local area for 2/3 bed properties for rent due to the inability of young couples to purchase a property in the area and also those who cannot afford to rent larger houses.

- 5.5 The elevation drawings show how careful assessment has been made of the local vernacular in order that the siting and scale and design of the proposed dwelling will complement the existing character of the settlement and streetscape. The dwellings have been designed to safeguard the amenity of existing surrounding properties, as well as the proposed dwellings and their gardens; for example, no side windows are proposed to ensure no potential overlooking. The proposed elevations illustrate how the dwellings are of a traditional design, and will be built using traditional style materials yet with energy efficient measures incorporated, very similar to others previously approved and developed by the applicants in the village that were supported by the AONB Manager, that will add to the AONB and will create an attractive environment, thus also meeting the tests of NPPF.
- 5.6 The applicants currently provide a large number of rented properties in the village. They and local lettings agent, Rounthwaite and Woodhead, have both confirmed that they have outstanding requests for 2 bed houses for rent and hence the applicants have decided to invest in further accommodation as there is known demand from young people wishing to live here. They are aware of the requirement that the homes will need to be let to local people, and that a Local Needs Occupancy condition will be applied to any permission granted, to meet the policy requirements of Policy SP2. A letter by local agent Rounthwaite and Woodhead confirming this demand is supplied as part of the application submission and is in the form of evidence previously accepted by the Council to support previous consents. They are confident that there is a local need for this type of accommodation here in the short and longer term.

Public Open Space and other amenities: CIL

- 5.7 Ryedale District Council has now adopted a CIL charging schedule that means that all new development will contribute towards providing facilities and services. Part of that contribution will fall due to Whitwell on the Hill and Crambe Parish Council who can decide where best it

can be used to add benefit to the local area. The construction of this pair of dwellings therefore anticipates that CIL monies will be paid for the benefit of the local and wider community.

Highways Design

- 5.8 Pre application discussions were held with NYCC Highways to confirm that suitable visibility could be achieved, given the mature hedges surrounding the site. The applicants and Highways officers are sensitive that the hedges form part of the local character of this part of the village and have therefore sought to retain them where practicable. However, minor works to reduce hedges (as shown on the application drawings) have been required by Highways to ensure that safe access and egress can be achieved for the new residents and for surrounding properties. Normal NYCC Highways parking standards are provided on plot and match the parking provision already provided by the majority of existing houses adjoining and nearby on the north side of Main Street.
- 5.9 It is recognised that a public footpath adjoins the site along the western boundary, running within the property North Lodge. The submitted plan confirms its location. Lying totally outside the boundary of the application site, it is confirmed that it is unaffected by the proposed development.

Drainage / SW runoff

- 5.10 The site is located within Flood Zone 1 and therefore there is no flood risk to the site.
- 5.11 The applicant has advised that in Summer 2017 when extraordinary heavy downpours were experienced, much of the village was subject to 'flooding' caused by surface water runoff from the surrounding fields from the north running into houses / buildings / gardens to their south. Some of the applicants' tenants' homes were damaged by this runoff (as per many others in the village), so the applicants consulted a drainage expert to advise them of any works that could be undertaken to reduce the potential of this reoccurring and a programme of improvement works was commenced. Phase 3 of the programme works commenced in June 2018 to prevent flooding from run-off to cover Pear Tree Cottage, The Gardens and the adjoining land to the west. Existing land drains had to be located and then excavated with extensive digging and were found to be either collapsed or blocked. The recommendation was that the drains be replaced and reconnected into the existing 4 inch land drain system on the other side of the road. This involved a Road Crossing Order, which took some considerable time to come through; hence the recommended works were delayed until this year. These new land drains will also take the surface water runoff from this site, which will feed into the existing system. Foul drainage will pass into the existing system in Main Street.

Renewables and low carbon energy / ecology

- 5.11 Whilst new build dwellings are already energy efficient in that they meet current (continually improving) Building Regulations, the applicants are keen to continue the measures they have previously installed on other dwellings they have built within the village, such as the solar panels to be installed on the roof. The solar panels will connect to a Solar i Boost inside so that the energy generated is utilised in the domestic hot water tank before being fed into the grid. It is intended that solar powered electric heating will be installed (as per previous developments); as a fallback, if not possible to meet SAP ratings, an oil tank will be provided. Feed in Tariffs are no longer available so this is purely for the benefit of the residents (with low energy costs) and wider environment. An electric vehicle charging point will also be installed on the side of each dwelling.
- 5.12 To enhance ecology, swift / house sparrow nesting boxes as recommended by the RSPB will be built into all appropriate elevations. Any reduction in hedges necessary to satisfy highways will be undertaken in accordance with good practice guidelines, to meet the standards required to satisfy the Wildlife and Countryside Act 1981.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 National Planning Policy is contained in the NPPF which is a material consideration in all planning decisions. This directs that the starting point for all decisions on applications is the local development plan unless material considerations indicate otherwise. There is a presumption in favour of sustainable development and development proposals which accord with the development plan should be approved without delay.
- 6.2 The proposals comprise a small scale residential development of a pair of semi detached new dwellings within the settlement limits of village of Whitwell on the Hill, where specific policies in the adopted Ryedale Plan – Local Plan Strategy clearly support further growth from infilling and small-scale development within the defined Development Limits, subject to the imposition of a Local Needs Occupancy condition. The development would take place on an untidy former garden area, now scrubland, which currently makes no contribution to the AONB. Rather a well designed scheme to provide much needed housing could provide positive benefits to the streetscape.
- 6.3 The proposals are policy compliant in all respects and there are no adverse effects and indeed there are clear benefits to the proposed development. The site is located in a sustainable location and will afford clear economic, social and environmental benefits by providing much needed housing and support to local services in a high quality development that will have its own character and yet fit in well with the village's vernacular.
- 6.4 The NPPF advises that LPAs should only use planning conditions and obligations where these are necessary to make a development acceptable. Planning obligations in particular must be directly related to the development and fairly and reasonably related in scale and kind. Planning conditions should only be imposed where they are necessary, relevant to

planning and to the development to be permitted, enforceable, precise and reasonable in all respects. In respect of this application, it is accepted that a Local Needs Occupancy condition will be imposed but this is acceptable as there is already identified interest from local people wanting to live in the proposed dwellings. In addition, CIL will fall due and can be used to help fund any off-site public open space and infrastructure upgrading required, so making the application totally policy compliant. Suitably worded conditions may also be attached to the planning consent to ensure the standard of design, materials, drainage, environmental / ecological enhancements offered are achieved in the site's subsequent development.

- 6.5 We therefore advocate that the presumption in favour of sustainable development should be followed in this case and the application should be approved without delay.