



PB Planning

**LAND SOUTH OF SWINEHERD LANE,
KIRKBYMOORSIDE**

**PLANNING, DESIGN & ACCESS
STATEMENT**

JULY 2019

Strategy > Partnership > Delivery

CONTENTS

- 1.0 Introduction
- 2.0 Site Description & Development Proposals
- 3.0 Principal of Development
- 4.0 Presumption in Favour of Sustainable Development: *Economic, Social & Environmental Objectives*
- 5.0 Conclusion

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1.0 INTRODUCTION

1.1 This Planning Statement accompanies an application for **outline** planning permission for the following development on Land South of Swineherd Lane, Kirkbymoorside: -

“Outline planning application for residential dwellings and associated infrastructure with all matters reserved other than access into the site.”

1.2 This statement has been prepared in support of the planning application and it provides details of the proposed development and an assessment of its compliance with relevant planning policy.

1.3 The application package is accompanied by the appropriate planning application fee and comprises copies of the following documents: -

- Site Location Plan
- Proposed Planning Layout
- Planning, Design and Access Statement
- Flood Risk & Drainage Strategy
- Highways Access Drawing
- Ecological Appraisal
- Site Investigation

1.4 The statement concludes that the proposed development is in accordance with relevant planning policies at national and local levels. The proposed scheme seeks to provide new high quality housing in a location which is appropriate for the proposed residential use. Outline planning permission should therefore be granted in respect of this planning application.

2.0 SITE DESCRIPTION AND DEVELOPMENT PROPOSALS

SITE DESCRIPTION

- 2.1 The application site comprises a 1.3-hectare field located immediately adjacent to the built-up area of Kirkbymoorside. The site is surrounded by existing residential development located to the north and west, recreational development to the south, whilst also having landscape boundaries to the east.
- 2.2 The site represents housing allocation Ref.SD7 within the adopted Ryedale Sites Local Plan document. Following the receipt of the Inspector's Report, the plan was adopted by the Council on the 27th June 2019. Accordingly, the document is now part of the adopted statutory Development Plan for Ryedale. We identify how the proposed development of the site will satisfy the policy criteria for the site allocation within Section 5 of this statement.
- 2.3 The site is located within Flood Risk Zone 1. It is located within 400m from the number of services and facilities located within the centre of Kirkbymoorside. Of particular note Kirkbymoorside Market Place, and the number of facilities this area provides, is located within walking distance. The site can be accessed via the existing highway of Swineherd Lane. For the avoidance of any doubt, following pre-application discussions with RDC and North Yorkshire County Council (NYCC) vehicular access to the site will be taken from Swineherd Lane.
- 2.4 With regards to the site's location in relation to public transport modes other than the private car, the site is located within walking distance from bus stops located on the A170 road and the Market Place.
- 2.5 Kirkbymoorside is identified as a Local Service Centre (Market Town) in Policy SP1 of the adopted Ryedale Local Plan Strategy Document, where, due to the Town's role and function, it is appropriate to focus limited growth to address housing requirements. The document identifies the following key considerations in respect of the identification of development sites:-
- *deliver against the Objectives and Policies of the Plan, policy standards and Community Infrastructure Levy (CIL) requirements;*
 - *support access on foot to centrally located shops, services and facilities;*
 - *be compatible with neighbouring land uses;*
 - *avoid adverse impacts on interests of acknowledged importance;*
 - *be accommodated without detriment to the character of the settlement and its setting;*
&
 - *satisfactorily address highway capacity and safety*
- 2.6 Furthermore, Policy SP2 of the Local Plan Strategy document provides guidance on the distribution of new homes within the Ryedale. Kirkbymoorside is allocated approximately 10% of all new homes, equating to circa 300 new homes. The policy further states that the pattern of potential site allocations will be focused around the identification of small-medium sized sites

predominantly to the north of the A170 and to the east and west of the town avoiding coalescence with Keldholme.

- 2.7 The spatial planning principles established within the Ryedale Local Plan Strategy document were taken into account when the application site was identified as a housing allocation within the Ryedale Local Plan sites document. Accordingly, the development of the application site is fully in accordance with the District's planning policy objectives.
- 2.8 The provision of residential development at the site would not have an adverse impact on the identified local context and land uses located within proximity to the site.

PLANNING HISTORY

- 2.9 In order to fully understand the development context of the site in the preparation of this planning application we have undertaken a planning history search of the application site. Our review of the Council's online database has identified that no planning applications have been submitted at the site of relevance to the planning application.
- 2.10 Detailed pre-application discussions have commenced with Ryedale District Council (Ref.15/001190/PREAPP). The pre-application discussions made clear that there are no unsurmountable concerns to constrain the development of the site from a design or technical perspective.
- 2.11 Further details in respect of the conclusions of the technical work to support this planning application are provided in Section 4 of this statement.

DEVELOPMENT PROPOSALS

- 2.12 The development proposals seek to deliver a high quality residential development, including bespoke designs, providing a housing mix for first time buyers through to families.
- 2.13 The indicative Planning Layout submitted in support of the planning application identifies the following parameters: -
- A size, layout and configuration capable of supporting a sustainable housing scheme of circa 45 homes providing the ability to meet a range of housing needs, including 15 affordable homes or 35% based on the District's current planning policy requirements.
 - Appropriate vehicular access will be taken from Swineherd Lane, with new proposed pedestrian and cycle connections to existing linkages to the north, west and south of the site.
 - An area of amenity space located in the south-eastern area of the site.
 - The provision of enhanced boundary landscaping along the eastern boundaries of the site.

- The retention of existing landscape features on the site's boundaries.
- 2.14 The proposed number of homes to be delivered at the site has been identified following an assessment of the likely housing type, tenure and mix that will likely be delivered at the site.
- 2.15 The discussions and the comments received from statutory consultees through the pre-application process, including highways and drainage bodies have informed the development of the submitted Planning Layout. Particularly the proposed vehicular access location and design.
- 2.16 The character of the area has also influenced the proposed quantum of development. The site is surrounded by existing residential development located to the north and west, recreational development to the south, whilst also having landscape boundaries to the east. Density levels have therefore been reduced towards the southern areas of the site which about the more open areas surrounding the site.
- 2.17 The indicative plot sizes for each dwelling are commensurate with the existing arrangement of housing in the vicinity of the site and the proposed layout will provide each dwelling with appropriately sized rear private garden areas.
- 2.18 The proposed homes will be predominantly 2-storey, with the potential for 2.5-storey (room in roof) properties located within the more central areas of the site.
- 2.19 With regards to landscaping, the development proposals will retain existing landscape features located on the site's boundaries. The development proposals will also seek to provide additional landscaping along the frontages of plots to soften views onto the scheme.
- 2.20 It is the applicant's intention to provide landscaped gardens at the rear of the houses including close boarded timber fences between the individual dwellings. Flagstone paving will be provided within the garden areas with paths to the refuse store area.
- 2.21 The development proposals will deliver a Community Infrastructure Levy (CIL) payment to Ryedale District Council to enable the safeguarding and enhancement of local infrastructure in the District. The CIL calculation will be confirmed once the development proposals have been finalised.
- 2.22 As stated above, the development will deliver 35% affordable homes on site in accordance with local planning guidance.
- 2.23 It is anticipated that the more formal areas of landscaping and public open space provided within the scheme will be maintained by a management company in the future.

2.24 The proposed quantum of development detailed above can be accommodated at the site ensuring that a high quality residential development can be delivered. The development proposals will provide a bespoke residential development that reflects the character of Kirkbymoorside and the site's immediate surroundings.

3.0 PRINCIPLE OF DEVELOPMENT

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

3.2 The following chapters of this planning statement identify the main planning issues associated with the proposed development and considers how the proposals are in accordance with national planning guidance and the development plan.

3.3 As identified in Section 2 of this statement, the site represents housing allocation Ref.SD7 within the adopted Ryedale Sites Local Plan document. Following the receipt of the Inspector's Report, the plan was adopted by the Council on the 27th June 2019. Accordingly, the document is now part of the adopted statutory Development Plan for Ryedale.

3.4 Consequently, in accordance with Paragraph 11 of the NPPF, planning permission should be granted for the development proposals unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits and where the NPPF indicates development would be restricted.

3.5 On account of the above, the following section of this statement assesses the development proposals against the NPPF's requirements of the presumption in favour of sustainable development. We will also demonstrate how the development proposals comply with the relevant policies of the Ryedale Local Plan.

3.6 We conclude in Section 5 by identifying how the proposed development is in accordance with the site specific policy criteria for the site's housing allocation within the adopted Ryedale Local Plan Sites document.

4.0 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT: *ECONOMIC, SOCIAL & ENVIRONMENTAL OBJECTIVES*

MEETING THE ECONOMIC OBJECTIVE OF SUSTAINABLE DEVELOPMENT

4.1 The NPPF defines the economic objective of sustainable development as being:

“to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure”

4.2 The economic benefits that the development would deliver to the local area are as follows: -

- Creating sustainable communities through meeting housing needs, offering existing and potential residents of Kirkbymoorside and the District the opportunity to live in the type of house and location they desire.
- Delivering financial contributions towards the improvement of the District's infrastructure through the provision of a Community Infrastructure Levy payment.
- New capital construction expenditure creating direct and indirect employment opportunities, of which 70% are usually retained in the local area.
- Sustaining and improving the District's labour market through delivering the right homes in the right locations.
- Increasing retail and leisure expenditure in the local area, creating new employment opportunities in these sectors.
- Provision of funding towards public services from the Government's new homes bonus and annual council tax payments.

4.3 The development of approximately 45 homes at the site can deliver economic and social benefits to the local area and wider District.

4.4 The development of the site will deliver a £5.48m construction investment to Kirkbymoorside and the wider Ryedale area. This level of investment will deliver a wide range of direct and indirect economic benefits to the area, stimulating employment growth during and post construction.

4.5 A large proportion of the workforce for each of W & W Estates' sites are drawn locally. It is therefore highly likely that the majority of the proposed construction jobs will be taken up by a local workforce. Furthermore, local business will also benefit from trade linkages established through the construction of the development, meaning that a large proportion of the indirect jobs would be supported locally from suppliers of construction materials and equipment.

4.6 Following the construction of the development new employment opportunities will be created and existing facilities/services sustained as a result of the spending patterns of new residents within

Kirkbymoorside and the local area. It is estimated that the development will generate over £821k pounds each year of spending power to the local retail and leisure economy. Contributing to the long term vitality and sustainability of the local services and facilities of Kirkbymoorside.

- 4.7 The development will deliver significant economic gains through the Government's New Homes Bonus incentive and annual Council Tax payments. At a time when local authority's budgets are being reduced these areas of financial gain can provide beneficial ways in which Councils can continue to support their communities.
- 4.8 The development proposals will also deliver a substantial Community Infrastructure Payment to the Council, to be used to improve local infrastructure, including local educational facilities.
- 4.9 Overall, the development will deliver a number of economic benefits to Kirkbymoorside and the wider Ryedale area, and in doing so will meet the Government's economic objectives of sustainable development. In doing so the proposals will also comply with the relevant policies of the Ryedale Local Plan Strategy Document.

MEETING THE SOCIAL OBJECTIVE OF SUSTAINABLE DEVELOPMENT

- 4.10 The NPPF defines the social objective of sustainable development as being:

“to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being”

- 4.11 Paragraph 59 of the NPPF identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.12 The development proposals will contribute to supporting a strong, vibrant and healthy community by providing a supply of housing that is required to meet the needs of both present and future generations.
- 4.13 The site is located within Kirkbymoorside which is identified as a Local Service Centre (Market Town) in Policy SP1 of the adopted Ryedale Local Plan Strategy Document, where, due to the Town's role and function, it is appropriate to focus limited growth to address housing requirements.
- 4.14 In accordance with Policy SP2 of the Local Plan Strategy, the development of the site would make a significant contribution to meeting the identified 300 home requirement of Kirkbymoorside through the release of a medium size site located to the north of the A170 and to the east of the

town, whilst avoiding coalescence with Keldholme. A position agreed on by both the Council and the Inspector of the Ryedale Sites Local Plan in concluding that the site represents a deliverable housing allocation.

- 4.15 In respect of the provision of a good housing mix within the development, in order to meet the identified needs of the community the proposals offer the potential to provide dwellings of a mix of 2, 3 and 4 bedroom homes to ensure that the housing needs of all members of the community can be met including first-time buyers, couples of all ages and families.
- 4.16 The site will also deliver 35% affordable homes on site in accordance with the District's current planning policy requirements as stipulated in Policy SP3 of the Local Plan Strategy Document.
- 4.17 The development proposals will deliver a high quality of design that will complement the character of the settlement, creating an attractive place to live.
- 4.18 The design of the proposals will result in a high quality local environment for residents with appropriate levels of private amenity space for new residents of the development and existing residents who neighbour the site. The future design of the proposals will also take into account the need to reduce opportunities for crime.
- 4.19 We consider the quantum of development proposed will deliver a high quality residential development whilst ensuring an efficient use of land.
- 4.20 The site can be considered as a viable and deliverable residential development site on account of: -
- Suitability** - The site is located in a suitable location for residential development now. A sustainable development can be delivered at the site with pedestrian and cycle access to existing services, facilities and public transport. A suitable access can be provided from existing highways. There are no other technical constraints, including drainage matters, which would preclude the development of the site for residential use.
 - Availability** - The site is available for residential development now as there are no legal or ownership constraints as W & W Estates Ltd have an interest in the site and are expressing an intention to develop the site through this planning application.
 - Achievability** – W & W Estates Ltd are seeking to develop the site for residential use within the next year. Prior to the progression of development sites, they undertake a thorough marketing and economic viability assessment for each site, including an assessment of any site specific abnormal costs. The site is considered to be achievable for residential development now as there is a realistic prospect that the site can deliver new homes within the next 5 years.
- 4.21 With regard to proposed delivery timescales, subject to the approval of the planning application, it is currently envisaged that first dwelling completions on the site will take place in the monitoring year 2020/21, with the development being completed the following year.

- 4.22 The development proposals can deliver a number of social benefits to Kirkbymoorside alongside making an important contribution to the Council's ongoing 5-year housing land supply requirements.
- 4.23 Overall, the development will deliver high quality bespoke homes in a sustainable location and will meet the Government's social objectives of sustainable development as set out in Paragraphs 11, 59, 67 & 73 of the NPPF. In doing so the proposals will also comply with the relevant policies of the Ryedale Local Plan.

MEETING THE ENVIRONMENTAL OBJECTIVE OF SUSTAINABLE DEVELOPMENT

- 4.24 The NPPF defines the environmental objective of sustainable development as being:

“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”

- 4.25 The development site is not located within any national or regionally designated environmental protection areas. The supporting technical documents submitted with the application identify that the development will not have an adverse impact on the local environment.
- 4.26 The planning application is supported by a range of technical reports which fully assess the environmental impact of the development proposals.
- 4.27 Sanderson Associates (highways consultants) have assessed a number of access options available and they concluded that a suitable site access could be delivered from Swineherd Lane. Discussions with North Yorkshire County Council (NYCC) highways officers as part of the pre-application process have confirmed that the proposed site access on Swineherd Lane is acceptable. The proposed site access drawing is submitted in support of the planning application.
- 4.28 The impact of the development proposals on the wider highway network was assessed as part of the preparation of the Ryedale Local Plan Sites document. The impact was considered to be acceptable and accordingly the site has been identified as a housing allocation.
- 4.29 A Flood Risk & Drainage Assessment and Sustainable Drainage Strategy is submitted in support of the planning application. As identified in Section 2 above, the site is located in Flood Risk Zone 1. The strategy identifies that foul water will connect into existing sewers located within Duna Way. Surface water will be attenuated in over-sized pipes located within the roads running through the scheme and in a surface water attenuation tank located beneath the area of proposed amenity space, before being released at an agreed run-off rate into the existing ditch that runs along the site's eastern boundary.

- 4.30 The submitted report concludes that the application site is at very low risk of flooding from external sources over its lifetime. A scheme for managing surface water can be implemented in line with national and local planning policies and technical standards of regulators and measures can be implemented that mitigate any increased flood risk to the surrounding area due to the proposed development.
- 4.31 An Ecological Appraisal is submitted in support of the planning application. The appraisal identifies that the development will result in a loss of two cattle-grazed, species-poor grass fields which are heavily used by dog walkers. Boundary hedges and the central hedge are all species poor but are very mature with excellent bird nesting and foraging habitat. They also form important wildlife corridors. There are no signs of any other protected species on site. There is a pond within 500m of the site; there are great crested newt (GCN) records in ponds to the south of Kirkbymoorside. A GCN eDNA confirmed that no GCN are using this pond so the development will not impact on GCN. A bat transect survey was carried out on hedges, focusing on the mature ash trees, no bat roosts were identified within the trees and the hedges were used by low numbers of commuting common and soprano pipistrelle bats.
- 4.32 Enhancement of the site could be accomplished by gapping up hedges. Buffer strips along hedgerows should be implemented to increase their suitability as wildlife corridors and to encourage hedge flora. The ditch that runs along the eastern side of the site allocation boundary, could also be reprofiled to encourage aquatic vegetation.
- 4.33 Finally, the submitted Site Investigation identifies that there are no ground constraints to the proposed development of the for residential use.

CONCLUSION

- 4.34 On account of the information presented in this section, it is considered that the development proposals comply with the guidance presented in the NPPF and relevant policies of the Ryedale Local Plan. As a consequence, the development proposals can be considered Sustainable Development as defined by the NPPF and accordingly there is a presumption in favour of granting planning permission for this development without delay.

5.0 CONCLUSION

5.1 This application seeks outline planning permission for the delivery new homes and associated infrastructure at Land South of Swineherd Lane, Kirkbymoorside.

5.2 This Statement has reviewed relevant planning policy at the national and local levels. It demonstrates considerable support for the proposed development of the application site.

5.3 With regards to the detailed policy criteria attached to the allocation of the site, we provide the following conclusions: -

- The site will deliver a development of approximately 45 new homes. Though an increase on the indicative figure of 35 homes proposed in the Ryedale Sites Local Plan, the proposed density of the development would be 30 dwellings per hectare, which reflect the character of the area. The additional 10 homes would provide an increase in the number of affordable homes that can be delivered at the site. Finally, the mix of 2, 3 & 4 bedroom homes at the site is the driver behind the number of homes to be delivered. The benefits of the proposed mix are that it will deliver homes for first time buyers, couples of all ages and families.
- Vehicular access will be taken from Swineherd Lane.
- Pedestrian and cycle only access cannot be provided from Duna Way and Stuteville Close due to an existing ransom strip issue. A third party owns the land at the end of these highways.
- The development will also take into consideration the PROW that runs through the site. It is proposed to divert it along the new internal footpaths, with a connection being provided to the PROW on the site's eastern boundary.
- Additional boundary landscape planting will be provided along the site's eastern and southern boundaries.
- The majority of the homes delivered will be of a maximum of 2 storeys in height. Any properties above two storeys in height will be "room in roof" style (2.5 storeys in height) and located within the central areas of the site.
- The scheme has been designed to deliver well defined hierarchy of streets and spaces.
- Sustainable Urban Drainage Systems have been incorporated within the proposals.
- The capability for electric vehicle charging will be discussed with the Council through an appropriately worded planning condition.
- A lighting scheme to minimise glare, reduce energy usage, and protect amenity will be submitted to discharge any future appropriately worded planning condition.

5.4 The development proposals satisfy each of the site specific development principles identified within the adopted Ryedale Sites Local Plan.

5.5 On account of the information provided in this statement, the key benefits of the proposed development can be identified as follows: -

- The development proposals will deliver a development of approximately 45 homes, including 35% affordable homes on site.
- The proposed development will achieve a high standard of design that protects and enhances the local area's setting and character.
- It is anticipated that the development will provide approximately 45 homes in the next five years. Providing an important contribution to the District's housing land supply requirements.
- The development proposals are situated in a **suitable** and highly sustainable location in respect of existing settlement form and there are no technical or environmental (built and natural) constraints that would preclude the development of the site.
- The site is **available** now as it is under the control of a developer who are actively seeking to secure planning permission for the residential development of the site.
- The site can also be considered **achievable** as new homes can be viably delivered at the site within the next 5 years.
- The new housing development can provide a number of economic and social benefits to Kirkbymoorside and the wider District.
- The proposed quantum of development can be accommodated on the site whilst providing a high-quality development.
- The Highways; Drainage; Site Investigation and Ecology documents that have been submitted with this planning application identify that there are no technical issues that would constrain the development of the site.
- The development proposals meet the NPPF definition of Sustainable Development and there is therefore a presumption in favour of granting planning permission for this development without delay.

5.6 Based on the evidence set out in this Statement and the accompanying documents it is considered that the application proposals will create a sustainable, high quality and accessible development which will provide significant benefits to Kirkbymoorside.

5.7 The proposals comply with the identified national and local planning policy guidance and planning permission should therefore be granted in respect of this planning application without delay.