



PLANNING SUPPORT, DESIGN & ACCESS STATEMENT

**BY DR ANTON LANG MRTPI OF
ANTON LANG PLANNING SERVICES LIMITED**

**INFORMING CONSIDERATION OF THE PLANNING APPLICATION
MADE TO
NORTH YORK MOORS NATIONAL PARK**

Development description:

“Change of use of existing stable structure to a single residential unit with associated alterations to elevations, including glazed corridor”

At: Stable Block, Rock Haven, Newlands Road, Cloughton,
nr Scarborough, North Yorkshire YO13 0AR

For: Mr Malcolm Armstrong

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1 INTRODUCTION

QUALIFICATIONS & EXPERIENCE

- 1.1 The author of this document is DR ANTON LANG MRTPI.
- 1.2 I am a Bachelor of the Arts with Honours in the subject of Town Planning, I hold a Diploma in Town Planning, am a Master of Town Planning, and have also been awarded a Doctorate of Philosophy by research from the Faculty of Law, Social and Environment Sciences at the University of Newcastle-upon-Tyne.
- 1.3 Additionally, I am an academically fully-qualified, non-practising barrister; having been admitted as a member of the Honourable Society of the Inner Temple. I have been awarded a First Class Bachelor of Laws degree and two Post-graduate Diplomas in Law from the University of Northumbria at Newcastle.
- 1.4 I am a Chartered Town Planner with full Royal Town Planning Institute membership and over twenty years experience of the public and private sectors in local government, quango, academia and consultancies both multi-national and small. I am a member of the Urban Design Group, English Heritage, the National Trust and the Woodland Trust.
- 1.5 I have operated as a sole practitioner Planning & Development Consultant for the last eight years and am Owner and Director of the incorporated registered company Anton Lang Planning Services Limited.
- 1.6 A large proportion of my work involves detailed assessment of development control applications and appeals and the deliberation of material planning considerations for both private clients and local planning authorities.
- 1.7 I have considerable experience in dealing with these matters and in particular applications for residential development. I am familiar with the site, its planning history and the circumstances which have given rise to this application.

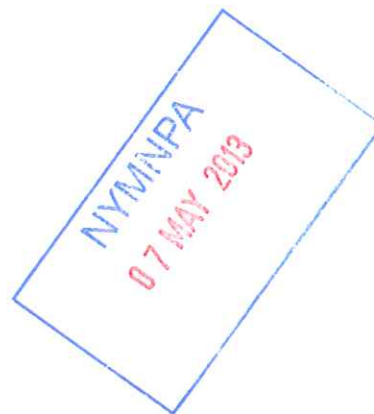
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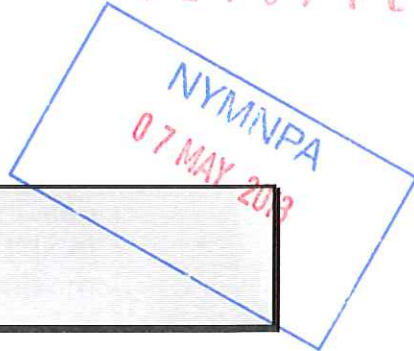
2 BACKGROUND

- 2.1 The owners of the large property Rock Haven, which is to the east of the stable block, wish to downsize, and yet still live in the locality.
- 2.2 They wish to pass the host property Rock Haven to their daughter for her to return to what has previously been her parents' home, but to make it for her family and off-spring; as it has become too large for the parents; especially after periods of ill-health.
- 2.3 The applicants would like to remain in the area and be close to her; and to that end have made this application to change the use of the stable block so both parts of the family can live on the same site.
- 2.4 Due to the afore-mentioned ill-health, the stable block has become redundant to a degree – certainly with regards stabling for horses, as the applicant's wife has been advised to cease riding by her doctors due to osteoporosis.
- 2.5 The proposed plans and elevations demonstrate how the existing structure can be slightly altered in order to make it a compact, individual, single dwelling unit with the minimum of changes or impacts.
- 2.6 This is, prima facie, considered to be an effective and efficient use of this existing structure, which is used less intensively than previously and now serves no ready purpose.
- 2.7 This scheme enables this family to stay in the locality and for their daughter and her family to move back to be closer to them by taking over the main house.
- 2.8 Importantly, now, all planning decision-makers must give appropriate weight to the very important factor of the recent National Planning Policy Framework (NPPF) which has now been brought into force.
- 2.9 The NPPF document makes it very clear that a positive approach HAS to be taken to all development proposals.
- 2.10 It stresses, like never before, that development proposals, particularly residential development proposals, must be

approved, ***unless significant and demonstrable harm can be proven.***

- 2.11 That is a very high test, certainly not met by this modest proposal.
- 2.12 It is considered that this proposal is well beyond any previous fine balancing line between acceptable and unacceptable development in the National Park and that the relevant material planning considerations combine to make this proposal eminently and reasonably acceptable.
- 2.13 It is thus concluded this development cannot be fairly regarded as inappropriate in the National Park, but rather is sensitive and suitable change of use with a distinctly local angle; and planning permission should be granted.
- 2.14 It is intended that the single title deed of Rock Haven and the property and lands would remain under one title and one ownership and thus this structure would be still be 'tied' to the host property; if this was also required to be ensured under a planning condition then that would be considered acceptable.





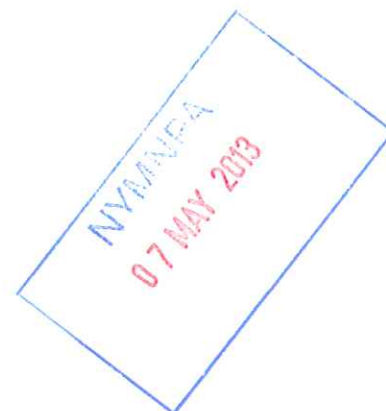
3 PLANNING CONSIDERATIONS

- 3.1 The primary objective of this scheme is to change the use of an existing structure to create an additional dwelling without unacceptably impinging on the National Park, existing residential amenity, or the immediate locality.
- 3.2 CABE guidelines (within Design & Access Statements, CABE 2006) advise that proposals should be considered under the following topic areas:
- 3.3 Use, Amount, Scale, Layout, Landscaping, and External Appearance.
- 3.4 It is considered that the proposed residential USE of this structure, which is an existing domestic-use annex in any regard, is acceptable because the structure is existing and would be occupied by existing local people; and for the reasons articulated throughout this report.
- 3.5 It is considered that the AMOUNT and SCALE of development is acceptable as there is only a modest extension element to create a glazed corridor to the sides away from roadway views.
- 3.6 It is considered that the LAYOUT of the development on the site is logical, obvious and therefore appropriate in siting terms. The layout ensures privacy is maintained with regards to its proximity and relationship to adjoining properties – all minimum standard required distances are exceeded.
- 3.7 The LANDSCAPING aspects of this scheme are moot as both the host and the proposed property would have traditional front and rear curtilages as private gardens as laid out existing.
- 3.8 The EXTERNAL APPEARANCE of the new property would be ensured through standard planning conditions, and thus is considered acceptable.

ACCESS & CAR PARKING CONSIDERATIONS ASSESSMENT

- 3.9 The site is accessed by vehicle by existing roads and then the existing access point to the south at the corner of the curtilage of the larger host property.

- 3.10 The car parking allowance has been informed by local authority design standards and national planning policy (which seeks to inhibit the use of the private car where possible and to set maximum rather than minimum standards).
- 3.11 The single enclosed car parking space with more available on demand within the proposed curtilage is considered sufficient for the proposed property of this size and location.



4 LOCAL PLANNING POLICY

- 4.1 The duties of decision makers when making any determination under the Planning Acts are set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004. This states that:

"If regard is to be had to the development plan for the purpose 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."

DEVELOPMENT PLAN POLICY

- 4.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 the development plan is formed by the North York Moors National Park Authority Local Development Framework Core Strategy and Development Policies adopted 13 November 2008.

CORE POLICY J: HOUSING

- 4.3 Core Policy J deals with Housing:

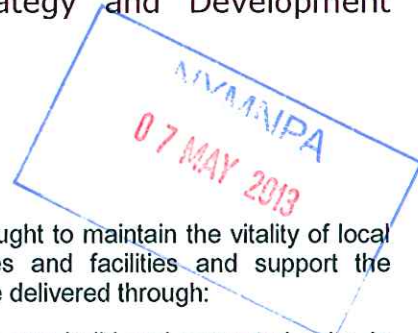
"A mix of housing types and tenures will be sought to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This will be delivered through:

- Locating all open market housing, including new build and converted units, in the main built up area of the Local Service Centre of Helmsley and the Service Villages. On larger sites more than 0.1 hectares or where 2 or more residential units are proposed, at least 50% of the resulting units must be affordable including conversion schemes. The 50% target may be varied in the light of the viability of the development, and is an interim figure for a period of 3 years, pending the completion of a general affordable housing viability assessment. Sites of less than 0.1 hectare must meet the definition of a small infill gap.

- Supporting the development of local needs housing located on infill sites or as a conversion of an existing building within the main built up area of the Local Service Villages and Other Villages.

- Restricting new housing development in the Open Countryside to that which is proven as essential for farming, forestry or other essential land management activities, replacement dwellings and conversion of traditional rural buildings for residential letting for local needs.

- Supporting proposals for new development at Botton Village in the eight existing neighbourhoods, (Botton Farm, Lodge, Falcon, Village Centre, High Farm, Stormy Hall, Nook and Honey Bee Nest) where it can be demonstrated that the development is necessary to meet the needs of the existing community and cannot



be accommodated through the through the re-use, extension or alteration of an existing appropriate building.

The occupancy of local needs housing will be restricted to:

- People who are currently living in and have permanently resided in the National Park for 5 years or more and are living in accommodation that no longer meets their requirements or
- People who do not currently live in the National Park but have a strong and long standing link to the local community including a previous period of residence of 5 years or more or
- People who have an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous 5 years or more and require support for reasons of age or infirmity or
- People who require support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous 5 years or more or
- People who need to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park

All applicants will need to demonstrate to the satisfaction of the National Park Authority that the needs of the identified proposed occupants are genuine, that the proposal represents the most practical and sustainable solution to meet the need identified and why the existing housing stock cannot meet their needs."

- 4.4 It is considered that the proposed change of use accords with Limb 3 as it is "conversion of traditional rural buildings for residential letting for local needs" as the proposed occupants are all part of a local family who have lived in the National Park for well over a decade.
- 4.5 The applicants and all proposed resultant occupants accord with Limb A as they are "People who are currently living in and have permanently resided in the National Park for 5 years or more and are living in accommodation that no longer meets their requirements".
- 4.6 The host dwelling Rock Haven is too large for them as they grow older and this smaller structure better suits their needs and demands. Their daughter and family will move into the larger host house; and thus be closer to her parents in their old age and infirmity.
- 4.7 Therefore overall it is considered this windfall site is compliant with the requirements of the relevant Core Policy J Housing.

DEVELOPMENT POLICY 19: HOUSEHOLDER DEVELOPMENT

- 4.8 Development Policy 19: Householder Development states:

"Proposals for development within the domestic curtilage of dwellings will need to take full account of the special qualities of the Park's nine landscape character areas and architectural character of settlements and will only be supported where:

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- The scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its setting in the landscape.
- The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.
- The development does not harm the amenities of adjoining occupiers by reason of noise and disturbance, smell or other adverse impact.
- In the case of annexe accommodation, the development is ancillary to the main dwelling in terms of its scale and specification, in the case of new build it is physically attached to the main dwelling and in all cases the annexe will remain under the control of the occupier of the main dwelling".

- 4.9 This proposal involves an existing structure which has previously been found to "not detract from the character and form of the original dwelling or its setting in the landscape" and was considered to be sensitively designed and located to complement its locality with a scale, density, massing, construction, landscaping and materials which were considered acceptable for reasons discussed in the previous permission for the structure.
- 4.10 The proposed glazed corridor is considered in keeping with the structure and an acceptable feature in this landscape.
- 4.11 The size and orientation of the site, and the proposed layout ensure that existing structures and the resultant proposed situation would continue to benefit from acceptable external standards of space, light, outlook and privacy and thus this scheme accords with Limb 2 as "the development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling" and also Limb 3 as "the development does not harm the amenities of adjoining occupiers by reason of noise and disturbance, smell or other adverse impact".
- 4.12 With regard to Limb 4 this structure accords as it is clearly "ancillary to the main dwelling in terms of its scale and specification".
- 4.13 It is also intended that: "the annexe will remain under the control of the occupier of the main dwelling" and this can be ensured by a planning condition.
- 4.14 Therefore this proposal accords with all limbs of this policy.

DP8: TRADITIONAL UNLISTED RURAL BUILDINGS

- 4.15 Development Policy 8: Conversion of Traditional Unlisted Rural Buildings states that:
- "Outside the settlements identified in the settlement hierarchy, the conversion of traditional unlisted rural buildings for an employment use, short term self catering holiday accommodation, residential annexe to an adjacent existing dwelling or

long-term/permanent residential letting units for local occupancy will be permitted where:

- The building is of architectural and historic importance and makes a positive contribution to the landscape and character of the National Park.
- The building is in a structurally sound condition, capable of conversion without substantial rebuilding, as demonstrated by a structural engineer's report.
- The building is capable of conversion and of sufficient size to accommodate the proposed use without the need for significant alterations, extensions or other new buildings.
- The proposed use is compatible in nature, scale and level of activity with the other buildings in the group and the character of the locality.
- The proposal is of a high quality design which retains existing external features which contribute significantly to the character of the building including original openings and roofing materials; reflects the simple functional form and traditional character of the building and provides for essential services and other functional requirements without harm to the fabric of the building or its setting.
- The proposed use does not lead to changes to the building's curtilage or the creation of new vehicular access or parking areas that would adversely affect its character and appearance or that of the wider landscape.
- The building is located within an existing group of buildings that have a close physical and visual relationship to each other and, where holiday cottage use, annexes or local needs letting is involved, include an existing residential unit within the group.
- In the case of long-term/permanent residential uses, the occupancy of the accommodation is restricted to a person satisfying the local needs criteria set out in Core Policy J and the tenure will be restricted to letting only and the unit will not be sold off separately from the main dwelling.
- In the case of residential annexes, the building is within the immediate curtilage of the main dwelling and the occupancy of the accommodation is restricted to a family member and the unit will not be sold off separately from the main dwelling".

- 4.16 This policy was prepared under a more restrictive planning policy framework under the auspices of PPS7. The NPPF has superseded that PPS7 and thus it can be considered that this very restrictive policy is NOT in accordance with the current NPPF; and thus should not hold much weight in the consideration of a planning application.
- 4.17 The NPPF actually directs that a much wider range of alternative uses can be considered for redundant buildings in the countryside; and actively seeks for more housing provision.
- 4.18 Thus it can be considered this policy should be set aside.
- 4.19 Furthermore it is arguable that this structure, which has not been erected for much more than a few years, can legitimately be called a 'traditional' building.
- 4.20 Nevertheless this proposal does accord with the general spirit and intention of this policy - if a flexible and positive approach to its application is made.

- 4.21 The structure is attractive and thus, "is of architectural...importance and makes a positive contribution to the landscape and character of the National Park" even if it does not have any tangible historic importance.
- 4.22 The structure, "is in a structurally sound condition, capable of conversion without substantial rebuilding" and that is plain to see from the plans, photographs and a site visit – without any need for a structural report.
- 4.23 It is obvious that, "the building is capable of conversion and of sufficient size to accommodate the proposed use without the need for significant alterations, extensions or other new buildings"; and the proposed layout plans demonstrate that.
- 4.24 It is considered that the residential conversion would be, "compatible in nature, scale and level of activity with...the character of the locality" and there are no other buildings in the group and the surrounding uses are all residential.
- 4.25 The conversion plans can definitely be considered to be of, "high quality design which retains existing external features which contribute significantly to the character of the building including original openings and roofing materials; reflects the simple functional form and traditional character of the building and provides for essential services and other functional requirements without harm to the fabric of the building or its setting", as the proposed elevational plans detail.
- 4.26 The existing residential curtilage will remain as residential curtilage so there is no change, and, as this scheme re-uses an existing access, there is no "creation of new vehicular access or parking areas that would adversely affect its character and appearance or that of the wider landscape".
- 4.27 Admittedly the structure is not, "located within an existing group of buildings that have a close physical and visual relationship to each other" but does, "include an existing residential unit" very close nearby within the large curtilage.
- 4.28 The applicant intends to live there with his wife in their deteriorating health so it is intended that, "the occupancy of the accommodation is restricted to a person satisfying the local needs criteria set out in Core Policy J".
- 4.29 The proposed structure "is within the immediate curtilage of the main dwelling and the occupancy of the accommodation is restricted to a family member and the unit will not be sold off separately from the main dwelling" and this can be controlled by a planning condition if required.

SPATIAL OBJECTIVES

- 4.30 It is worth considering the over-arching spatial objectives stated within the plan as this proposal appears to accord with the spirit and intention of them.
- 4.31 It is stated that:
 "Spatial Objectives:

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9 Maintain and foster vibrant local communities where young people have an opportunity to live and work and consolidate the role of settlements.

10 Ensure that a range of new housing is provided including housing to meet local needs and affordable housing that will remain affordable and available to local people in perpetuity.

11 Support the provision and retention of key community facilities and services throughout the area".

4.32 This scheme is all about ensuring, "that a range of new housing is provided including housing to meet local needs and affordable housing that will remain affordable and available to local people in perpetuity".

4.33 Therefore it is considered compliant.

CP A: DELIVERING NATIONAL PARK PURPOSES & SUSTAINABLE DEVELOPMENT

4.34 It is considered that overall these proposals comply with Core Policy A: Delivering National Park Purposes and Sustainable Development which states:

"The Local Development Framework seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities. Priority will be given to:

- Providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors.

- Providing for development in locations and of a scale which will support the character and function of individual settlements.

- Maintaining and enhancing the natural environment and conditions for biodiversity and geodiversity.

- Conserving and enhancing the landscape, settlement, building features and historic assets of the landscape character areas.

- Applying the principles of sustainable design and energy use to new development.

- Enabling the provision of a choice of housing that will meet the needs of local communities in terms of type, tenure and affordability.

- Strengthening and diversifying the rural economy and providing tourism based opportunities for the understanding and enjoyment of the Park's special qualities.

- Enabling access to services, facilities, jobs and technology whilst minimising the environmental impacts of transport".

4.35 In particular it is considered this scheme comprises, "a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors."

4.36 It also enables, "the provision of a choice of housing that will meet the needs of local communities in terms of type, tenure and affordability".

SUMMARY

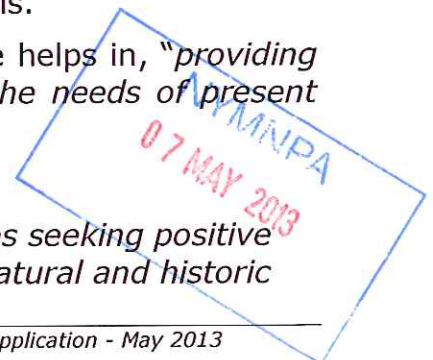
- 4.37 Overall, it is considered that this proposal is local plan policy compliant and acceptable with regard to all relevant material planning considerations for the reasons discussed throughout this section.
- 4.38 National guidance is addressed in the next section.



5 NATIONAL PLANNING POLICY FRAMEWORK

- 5.1 Up until 27 March 2012 there was an established national planning framework made up of a number of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) which were material considerations which could be applied to development proposals. These no longer apply and have all been cancelled.
- 5.2 From that date, that morass of unwieldy paperwork has been swept away by a single document called the National Planning Policy Framework (NPPF), which is intended to ensure that development proposals can be assessed and decided more proactively, more progressively and more promptly.
- 5.3 The NPPF makes it clear from the very start, in the Ministerial Forward, that:
- 5.4 *"The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. **We must house a rising population**, which is living longer and wants to make new choices."*
- 5.5 The use of the word "must" makes it clear it is imperative that development proposals are considered positively; much more so than ever before.
- 5.6 It is further stated that:
- 5.7 *"Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations. The planning system is about helping to make this happen."*
- 5.8 The planning process is about helping make "growth" happen; not about restricting or stopping "growth". Decision-makers should thus not be resisting growth, but should rather be helping it happen; by approving applications.
- 5.9 *"In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. **Planning must be a creative exercise** in finding ways to enhance and improve the places in which we live our lives".*

- 5.10 The negative, 'all boxes must be ticked' ways of approaching and assessing planning applications should no longer hold back development.
- 5.11 Planning, planners and planning decisions should all strive to be "creative" as much as possible. This scheme is creative in the way it provides an acceptable design solution to acceptably provide for an additional residential unit.
- 5.12 At Paragraph 7 it is stated:
- 5.13 *"There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles".*
- 5.14 The first dimension is stated as:
- 5.15 ***"An economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;"***
- 5.16 The second and third dimensions are:
- 5.17 ***"A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and"***
- 5.18 ***"An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy".***
- 5.19 At Paragraph 8 it is made clear that:
- 5.20 *"Economic growth can secure higher social and environmental standards".*
- 5.21 Such as under these development proposals.
- 5.22 Under a social role, this extension scheme helps in, *"providing the supply of housing required to meet the needs of present and future generations".*
- 5.23 This is re-enforced at Paragraph 9:
- 5.24 *"Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic*



environment, as well as in people's quality of life, including (but not limited to):

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes".*

5.25 How this is to be done is explained in paragraph 14:

5.26 "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.

For **decision-taking** this means:

- *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".*

5.27 The test of significantly and demonstrably is a very high test; much higher than ever before.

5.28 In order to resist and refuse these proposals the local authority must demonstrate significant adverse impacts; this interpretation is backed up by other planning practitioners (see article attached).

5.29 It is considered that the local planning authority will be unable to actually do that.

5.30 On any fair balance, any adverse impacts do NOT significantly and demonstrably outweigh the benefits of this scheme.

5.31 Paragraph 17 states that:

5.32 "Within the overarching roles that the planning system ought to play, a set of [twelve] core land-use planning principles should underpin both plan-making and decision-taking:" [inter alia]

5.33 "ii) 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".

- 5.34 *"iii) 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".*
- 5.35 *"viii) 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."*
- 5.36 This development scheme accords with these relevant core planning principles as identified above and is considered to not significantly adversely conflict with the others.
- 5.37 The first and most important aim is in the first part of the section called *"Delivering sustainable development"* and is called: *"1. Building a strong, competitive economy"*.
- 5.38 At Paragraph 18 it is stated:
- 5.39 *"The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future."*
- 5.40 This development proposal will create employment and new jobs through its construction and its lifespan.
- 5.41 This economic function is stated and re-stated, as per Paragraph 19:
- 5.42 *"The Government is committed to ensuring that the planning system **does everything it can to support sustainable economic growth**. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system"*.
- 5.43 And Paragraph 20:
- 5.44 *"To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century"*.
- 5.45 Section 6 is concerned with, *"Delivering a wide choice of high quality homes"*.
- 5.46 At Paragraph 47 it is stated that:
- 5.47 *"To **boost significantly the supply of housing**, local planning authorities should: [inter alia]*

- *use their evidence base to ensure that their Local Plan*

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meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

[It is considered that this proposal assists with the aims of providing more dwellings].

- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*
[It is considered that this proposal assists with the aims of providing more dwellings which are required nationally].

5.48 The NPPF is further evidence and support to go with the Planning for Growth agenda (see later) that development proposals such as this one for housing have to be looked upon favourably.

5.49 At Paragraph 49 it is stated:

5.50 *"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."*

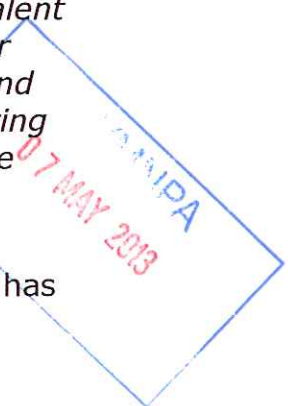
5.51 Therefore there is a presumption in favour FOR this development. This scheme has to be assessed much more positively than before.

5.52 This scheme helps with the aims stated in Paragraph 50:

5.53 *"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 (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);*
- *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 on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) 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."



- 5.54 It could be considered that with no up-to-date plan which has been demonstrated to be fully NPPF compliant, the local authority is failing to do the above and in this context this development scheme has to be looked upon favourably.
- 5.55 With regards to the actual theory and practice of "Decision Making" it is stated in Paragraph 186 that:
- 5.56 "Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground".
- 5.57 This is further emphasised at Paragraph 187:
- 5.58 "Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area".
- 5.59 With regards to determining applications, it is stated at Paragraph 197:
- 5.60 "In assessing and determining development proposals, local planning authorities should apply the **presumption in favour of sustainable development**".
- 5.61 These proposals are sustainable, on existing curtilage land, and therefore there is a clear presumption they should be considered favourably.
- 5.62 From the information and proposals provided, and the use of standard planning conditions, it is clear that national guidance and policy indicates this application should be approved.

NEW HOMES BONUS: ENCOURAGING HOUSING

- 5.63 Central Government has now introduced the New Homes Bonus (April 2011) which clearly encourages all local

authorities to be favourable to housing developments (see at: www.communities.gov.uk/statements/newsroom/newhomesbonusyear1).

- 5.64 The New Homes Bonus has been introduced with the specific intention of encouraging local authorities to grant permission for more housing and stimulate growth.
- 5.65 The Right Honourable Grant Shapps MP: Minister of State for Housing and Local Government has stated that:
- 5.66 *"New Homes Bonus is a key part of our ambition, set out in the Local Growth White Paper, to create a fairer and more balanced economy through encouraging growth."*
- 5.67 He goes onto state:
- 5.68 *"The New Homes Bonus should help engender a more positive attitude to growth, and create an environment in which new housing is more readily accepted."*
- 5.69 And concludes:
- 5.70 *"The New Homes Bonus scheme will be a powerful, simple and transparent incentive. Commencing in April 2011, the Bonus will match fund the additional council tax potential from increases in effective housing stock, with an additional amount for affordable homes, for the following six years. It will ensure that the economic benefits of housing growth are more visible to the local authorities and communities where growth takes place."*
- 5.71 It is obvious that Central Government wants to ensure that housing development is now encouraged on sites where it might be considered acceptable, available and achievable. Sites such as this site.

- 5.72 Approving this scheme is a step towards its redevelopment and completion which is the final trigger for the New Homes Bonus payments for this local authority.

Radical changes in housing and planning

- 5.73 The above new initiatives to encourage growth following the new Government's most recent budget are key considerations for decision-makers for planning applications.
- 5.74 Central Government have made it clear there is a push for growth.

- 5.75 At <http://www.communities.gov.uk/news/corporate/1871021> it is stated that:
- 5.76 "Communities Secretary Eric Pickles has welcomed measures to **improve the planning system, action to get the house building industry building again** and steps to cut the amount of red tape for councils and business set out in today's Budget."
- 5.77 "The Department for Communities and Local Government is at the centre of the Coalition's plans to revive and rebalance the economy. Over the coming months the Communities Secretary will oversee a programme of work to unblock the planning system, **boost house building** and attract new investment into the market, maintain environmental and countryside protections. The reforms will put local councils, communities and local firms in the lead when it comes to delivering growth."
- 5.78 "Secretary of State for Communities and Local Government Eric Pickles said: "The actions set out in today's Budget will create the conditions for growth and put this country back on a strong and stable economic footing. We are **unblocking the complex, costly planning system**, regenerating redundant sites and putting the brakes on the years of Whitehall micro-management that has tied business up in red tape, slowing and stifling growth." The current planning system is bureaucratic, we will make it easier to navigate. We have a system plagued by conflict and appeals. We will establish a system where councils, communities and business work together."
- 5.79 "Instead of fighting against development imposed from Whitehall, local people will have a far greater influence over what is built in their area. We will maintain protection for the Green Belt and the environment - as we are committed to sustainable growth."
- 5.80 "**Every new home built will create jobs in the UK building industry.** Before we took office house building had slumped to its lowest peacetime level since 1924. We are turning this around, providing support for first time buyers, encouraging private investment in housing, accelerating the release of public sector land and putting in place powerful new incentives that will give communities a share in the rewards of growth. Together, these measures to support local jobs and local firms will play a crucial part in the Government's wider work to get the economy back on its feet."
- 5.81 "To get Britain building again the Department for Communities and Local Government will: Make up to £210 million available over the next two years to introduce a new FirstBuy scheme



that will help over 10,000 first time buyers in England who are struggling to purchase a home in the market due to large deposit requirements. The FirstBuy scheme, jointly funded with house builders, will provide 20 per cent equity to top-up first time buyers own deposit of 5 per cent, enabling buyers to access 75 per cent conventional mortgage. **Boost investment in house building**, helping to reduce the sectors reliance on mortgage funding. The unfavourable Stamp Duty arrangements for bulk purchases of new build homes will end, **making investment in house building more attractive**, and tackling a tax distortion which currently favours individual purchases ahead of large scale investment. Consult on **proposals to increase housing supply** by deregulating the planning system so it is easier for developers to change vacant offices into new homes."

5.82 "Reform the planning system through a range of measures, including the **introduction of a powerful new presumption in favour of sustainable development. The answer to development and growth should wherever possible be 'yes'**, except where this would compromise the key sustainable development principles set out in national planning policy."

5.83 "Remove centrally imposed, top down targets that have dictated levels of development on previously developed land. Present rules are overly prescriptive and have in some cases led to perverse outcomes - e.g. imbalances in provision between blocks of flats and family homes. Councils will be able to identify the most sustainable locations for growth in their areas, having regard to the coalition commitment to protect the environment, including maintaining the Green Belt and other environmental designations."

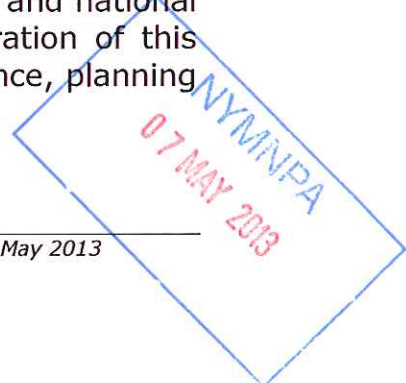
5.84 To simplify and speed up the planning system and **reduce regulatory and other burdens on the house building industry** Government will: Condense the near 900,000 words of unwieldy national planning policies into one concise, easy to use document. By the end of this year a new National Planning Policy Framework will set out the Governments key economic, social and environmental objectives and the planning policies to deliver them. **Consult on plans to simplify the planning process and streamline the information required to support planning applications.** Reduce the complexity of the consents developers need. Introduce a planning guarantee that means that planning applications will not have to spend more than twelve months in total with decision makers, where a timely appeal is made."

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- 5.85 *"Work with councils and developers to ensure that the cumulative impact of their local plans and other requirements do **not unduly constrain the creation of much needed jobs and homes.**"*
- 5.86 *"Taken together this is a comprehensive package for growth - continuing to deliver on the Government's commitment to get the housing market moving again and to putting councils, local businesses and communities back in the driving seat."*
- 5.87 It is clear there is a concerted impetus to encourage new housing development.
- 5.88 This proposal makes an effective and efficient use of an existing structure within a large residential site.
- 5.89 The distances between the layout of the proposed structure and its neighbours are sufficient to ensure an acceptable level of privacy and amenity.

SUMMARY

- 5.90 We are in an age when Central Government is stressing the importance of utilising land and buildings to their optimum degree; this is particularly with regard to new development schemes.
- 5.91 National guidance encourages the efficient and effective use of all land and existing structures, and the promotion of house building.
- 5.92 It would be obtuse and contrary to the spirit and intention of national policy to inhibit minor, regenerative re-use development such as this.
- 5.93 The determination of individual planning applications is intended to be on their specific merits within the framework of the planning system and not a blanket application of policy without consideration.
- 5.94 A balanced view of this new dwelling in the context not just of the locality but the aims of national planning policy should result in a planning approval.
- 5.95 From the identification and discussion of the policies in the previous section and this, it is clear that this development accords with all the policies and their provisions and thus is generally and on balance acceptable.
- 5.96 Acknowledging that the development plan policies and national guidance carry significant weight in the consideration of this application, and in view of this proposal's compliance, planning permission should be granted.



6 IMPACT ASSESSMENTS & CONCLUSION

URBAN DESIGN STATEMENT & ASSESSMENT

- 6.1 Urban design recognises seven qualities of successful places: character; continuity and enclosure; quality of public realm; ease of movement; legibility; adaptability; and, diversity.
- 6.2 The proposed redevelopment scheme continues the residential use of this wider site which is in keeping with the character of the uses across the immediate locality and thus provides continuity.
- 6.3 The scheme provides for visual continuity as it involves an existing structure which is subservient to its host with modest attractive alterations. The scheme does not require changes to the existing surrounding highways layout. Enclosure details likewise will be existing.
- 6.4 The public realm is not directly affected by this scheme.
- 6.5 Ease of movement would be ensured in and around the development by the existing road access.
- 6.6 The proposed use is legitimate and legible; eminently suitable for this locality as it exists proximate, as has been made clear throughout this statement.
- 6.7 Whilst residential-orientated, the redevelopment scheme will not prevent the buildings being again adapted or diversified should that be seen as necessary in the future.

DAYLIGHT & SUNLIGHT ASSESSMENT

- 6.8 The proposed siting of the new dwelling would be in such a location (with regard given to those existing nearby) that there is no potential unacceptable adverse impact upon current levels of sunlight and/or daylight enjoyed by adjoining properties or buildings, including associated gardens or amenity space.
- 6.9 Likewise, it considered that the application site itself will not be subject to any potential adverse impact from adjoining buildings or features with regards to levels of sunlight and/or daylight due to the privacy distances which are met and exceeded.

ECONOMIC & SOCIAL IMPACT ASSESSMENT

- 6.10 This redevelopment scheme will enhance the immediate locality through considered re-use of a previously-developed

site contributing to the residential, cultural and economic well being of the village and locality.

ENVIRONMENTAL IMPACT ASSESSMENT STATEMENT

6.11 It is considered professional opinion that this application does not require an Environmental Assessment as it does not fall within Schedule I and is not considered to be a Schedule II development of such a scale as to require an EIA.

FLOOD RISK IMPACT ASSESSMENT

6.12 It is considered that prima facie this site is at no significant flood risk, nor would its redevelopment impact on flooding within this locality.

PLANNING OBLIGATIONS STATEMENT

6.13 It is considered that there is no need for a private agreement or a planning obligation between the applicant and the local authority with regards to these proposals as this is an acceptable development on this site, it is just a single unit and any other requirements can be controlled by a planning condition.

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SUSTAINABILITY ASSESSMENT & STATEMENT

6.14 It is important to consider the sustainability aspect of this scheme. The proposal is sustainable for a number of reasons, which include:

- The proposal involves a more effective and efficient re-use of an existing structure, now under-used.
- The proposals do not impinge on any neighbours, the National Park, or on other items of acknowledged importance.
- The development will provide new and well-designed residential accommodation of a high quality which will be of benefit to the locality and the Park.

MINISTERIAL STATEMENT & PLANNING FOR GROWTH

6.15 It is important to draw attention to the Written Ministerial Statement: Planning for Growth (23 March 2011) made by The Minister of State for Decentralisation (Mr Greg Clark) as Annex A to the Planning for Growth letter of 31 March 2011.

6.16 Within that letter it is stated that:

6.17 *"These objectives need to inform the decisions that local planning authorities are taking now – through plan production"*

as well as development management. The Minister for Decentralisation issued a Written Ministerial Statement on 23 March (Annex A to this letter) to emphasise this point and this statement is capable of being regarded as a material planning consideration. Your attention is drawn especially to the weight that the Secretary of State will give to this statement in cases that come before him for decision."

6.18 It is important to emphasise that it is clear Central Government (and thus the Secretary of State and also Planning Inspectors) will be seeking that local authorities, and decisions by all those within the development control/management process, are positive and encourage growth.

6.19 To quote the statement [my underlinings and bold]:

6.20 "The Chancellor of the Exchequer has today issued a call to action on growth, publishing an ambitious set of proposals to help rebuild Britain's economy. The planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. We will work quickly to reform the planning system to achieve this, but the Government recognises that many of these actions will take some months to deliver, and that there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth. This statement therefore sets out the steps the Government expects local planning authorities to take with immediate effect.

6.21 "The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

6.22 "The Chancellor has today set out further detail on our commitment to introduce a strong presumption in favour of sustainable development in the forthcoming National Planning Policy Framework, which will expect local planning authorities to plan positively for new development; to deal promptly and favourably with applications that comply with up-to-date plans and national planning policies; and wherever possible to approve applications where plans are absent, out of date, silent or indeterminate.

6.23 "Local planning authorities should therefore press ahead without delay in preparing up-to-date development plans, and

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should use that opportunity to be proactive in driving and supporting the growth that this country needs. They should make every effort to identify and meet the housing, business and other development needs of their areas, and respond positively to wider opportunities for growth, taking full account of relevant economic signals such as land prices. Authorities should work together to ensure that needs and opportunities that extend beyond (or cannot be met within) their own boundaries are identified and accommodated in a sustainable way, such as housing market requirements that cover a number of areas, and the strategic infrastructure necessary to support growth.

- 6.24 "When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:
- 6.25 (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- 6.26 (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- 6.27 (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);
- 6.28 (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;
- 6.29 (v) **ensure that they do not impose unnecessary burdens on development.**
- 6.30 "In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.
- 6.31 "To further ensure that development can go ahead, all local authorities should reconsider, at developers' request, existing

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section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed; provided this continues to ensure that the development remains acceptable in planning terms.

6.32 *"The Secretary of State for Communities and Local Government will take the principles in this statement into account when determining applications that come before him for decision. In particular he will attach significant weight to the need to secure economic growth and employment.*

6.33 *"Benefits to the economy should, where relevant, be an important consideration when other development-related consents are being determined, including heritage, environmental, energy and transport consents. The Secretary of State for Culture, Olympics, Media and Sport, the Secretary of State for the Environment, Food and Rural Affairs, the Secretary of State for Energy and Climate Change and the Secretary of State for Transport have consequently agreed that to the extent it accords with the relevant statutory provisions and national policies, decisions on these other consents should place particular weight on the potential economic benefits offered by an application. They will reflect this principle in relevant decisions that come before them and encourage their agencies and non departmental bodies to adopt the same approach for the consents for which those other bodies are directly responsible."*

6.34 In tandem with the later NPPF, this much more positive emphasis on growth should/will be reflected in more planning approvals both by local authorities and by the Planning Inspectorate.

6.35 This proposal makes a more effective and efficient use of an existing structure and site.

6.36 The scheme does not harm anybody or anything to any tangible or demonstrable degree; it certainly has no significant impacts.

6.37 The distances between the proposed structure and its neighbours are sufficient to ensure a more than acceptable level of privacy and amenity.

6.38 There is a large amount of local support as per the representations attached to the application – and in this new age of Localism they HAVE to be given significant weight.

6.39 This development helps assist with the dotage of the applicant local family in the new converted structure, and will provide for (to them, new) residential accommodation in the host structure Rock Haven for their daughters' families (who both

called it their home when at school and studying in York or fighting in the Army in Iraq, with one now a Dentist in the Dales and the other currently living in Malton).

- 6.40 In its own small way this proposal is development and growth; and thus should be encouraged under Central Government guidance.

CONCLUSION

- 6.41 An objective analysis of this scheme against all relevant material planning considerations has considered this scheme to be acceptable.
- 6.42 There are no material planning considerations that preclude the approval of planning permission for this development scheme as described in this planning application.
- 6.43 The new NPPF means this new proposal should now be considered, on balance, acceptable.
- 6.44 These proposals are sustainable, on previously-developed land, and therefore there is a clear presumption they should be considered favourably.
- 6.45 It is clear that national guidance and policy indicates this application should be approved.
- 6.46 **The NPPF makes it clear that in order to resist and refuse these proposals the local authority must demonstrate significant adverse impacts.**
- 6.47 **It is considered that on the basis of the materials submitted as part of this planning submission that test cannot be met by the lpa.**
- 6.48 This new higher test with regards to refusing proposals is supported by other planning practitioners (see letter and article attached).
- 6.49 The letter clearly states the position, to quote (as within blue highlighter): "*Planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits...all the benefits".*
- 6.50 It is considered the lpa will be unable to demonstrate any significant outweighing factors.
- 6.51 The attached article (at the bottom of pages two and three of the pdf) underlines that it is not just that this application submission *requests* positivity with regards to development proposals; national guidance is now *demanding* it.

- 6.52 The Planning Unit Report must objectively take into account the new NPPF impetus. Schemes like this are exactly the sort of proposal which may have been considered contrary to a draconian interpretation of local policy in the past, but rather now should be looked upon positively, as there are no significant adverse impacts; certainly none to outweigh the benefits.
- 6.53 Additionally there is a great deal of local support.
- 6.54 Therefore, it is respectfully requested that, for the reasons outlined in this statement, that planning permission is granted for the development proposed.

Dr Anton Lang MRTPI – May 2013

