

North York Moors National Park Authority Scrutiny Meeting

14 July 2014

Affordable Housing Scheme in Egton

1. Purpose of the Report

1.1 To seek approval from Members to delegate to the Director of Planning the decision of the application for 10 dwellings at Land off the High Street, Egton NYM/2013/0297/FL.

2. Background

2.1 On 3 June 2013 the Authority received an application from Home Housing for the construction of 10 affordable dwellings on land adjacent to the existing affordable housing scheme, off the High Street in Egton. As the site is an exception site the Parish Council had been closely involved in carrying out the housing needs survey and in the identification of a suitable site. An open day was held prior to the submission of the planning application and the proposals received unanimous support.

2.2 Following validation of the application a site notice was put up adjacent to the development site and an advertisement was placed in the Whitby Gazette on the 21 June 2013. The immediate neighbours to the proposal site were also notified of the planning application in writing. As no objections were received within the statutory consultation period the application was not referred to the Planning Committee for decision.

3. Issue

3.1 There have been significant delays in issuing the planning decision notice as a result of ongoing negotiations between the Mulgrave Estate as owner of the land, Home Housing and the National Park Authority in relation to the terms of the S106 agreement and the nominations agreement. Although all parties have now agreed the terms of the S106 no formal decision has yet been issued although this was expected to happen on the 11 July.

3.2 On 8 July Officers received an email from a local resident stating that she and other residents were dismayed to learn that construction on the site is about to commence without allowing them the opportunity to object to the "destruction of the Conservation Area" that this work entails. Officers have sought further details about these objections and the persons address as it is not possible to register an objection without these details. However under the delegated powers this very late objection the Director of Planning results in the need to refer the application to Planning Committee for decision on the 24 July.

3.3 The funding for the affordable housing through the Homes and Communities Agency (HC) is subject to all the units being completed by 31st March 2015. The HCA have made it clear that they will not allow any slippage from this date or carry grant forward to another programme. The contractor of the scheme has made it clear to

Home Housing that if work does not begin on site by 14 July that they could no longer guarantee completion by the March end date. On this basis Home Housing would have no option but to abort the project as their Investment Panel/Board would not consent to start on a site for a scheme with no grant funding and therefore be no longer financially viable.

4. Conclusion

- 4.1 The main issues of the objection appear to be in relation to the lack of knowledge about the scheme and the impact on the Conservation Area. The authority has advertised the planning application in the local press, put up a site notice and written to all immediate neighbours. The Parish Council has also supported the scheme throughout the process. In terms of the Conservation Area the site is adjacent to the boundary and due to the high quality design of the scheme is not considered to have any adverse impact on its setting, this has been fully considered in the Officer's delegated report.
- 4.2 It is clear that if this planning application was referred to the Planning Committee and caused a further two week delay that this scheme would not progress. Members are therefore asked to delegate the decision for the application to the Director of Planning so that a decision can be issued later today and work can commence on site.

5. Legal Implications

- 5.1 There is a risk that the objector could legally challenge the way in which the decision has been made. If this happens the High Court judges are likely to rule that the decision is referred back to the Planning Committee for their decision.

6. Recommendation

- 6.1 That:

The decision of the application is delegated to the Director of Planning for his determination.