



Please Contact: Ellis
Mortimer/Karen Hood
Extension: 271

Date: 1st June 2018

PLANNING COMMITTEE

Tuesday 5 June 2018 at 6.00 pm
Council Chamber, Ryedale House, Malton

Agenda

16 **Late Observations**

(Pages 2 - 16)

Agenda Item 16

RYEDALE
DISTRICT
COUNCIL



Please Contact: Mrs Karen Hood

Extension 386

Email: karen.hood@ryedale.gov.uk

All Members of the Planning Committee
Council Solicitor
Head of Planning
Senior Customer Services Officer (Place)

Ref: Agendas/Planning/2017/2018

1st June 2018

Dear Councillor

Meeting of the Planning Committee – 5th June 2018

With reference to the above meeting I enclose for your attention the late observations received since despatch of the agenda.

Yours sincerely

A handwritten signature in black ink, which appears to read 'K Hood'. The signature is written in a cursive style.

Mrs Karen Hood
Senior Customer Services Officer (Place)



Kirkbymoorside Town Brass Band
50 West End
Kirkbymoorside
North Yorkshire
YO62 6AF

RYEDALE DM

01 JUN 2018

DEVELOPMENT MANAGEMENT

To RDC Planning Committee
Ryedale House
Malton

Date: 1st June 2018

Dear Sir,

Manor Vale Housing Application (ref 17/01450/FUL)

The band Trustees and Officers wish to respond to recent developments in relation to this application, which will be considered at next Tuesday's Planning Meeting. We want to correct what appear to us to be some apparent misunderstandings.

Firstly, the Planning Officers Report states that: -

"...a new noise report has been submitted with this application that has sought to engage with the Band Hall Representatives..."

We feel that to a casual reader such remarks could be read as inferring some absence of engagement by the band, which we feel sure, was not the intention. The band did its best to be as co-operative as was possible with the YES consultancy engineer by meeting him at the time of the noise measuring exercise and offering advice about the band and how and when it operated from Manor Vale.

In her recent letter (ref: 1847364) the applicant's agent states that: -

"...the client's offer to provide air conditioning and window fittings for the band hall was a goodwill gesture in order to provide peace of mind to members of the brass band..."

The Planning Officer may accordingly have been misinformed over the band's position when reporting: -

"... the Band Hall Representatives dismissed the applicant's offer to triple glaze their windows and install mechanical ventilation..."

These are factually incorrect assertions. In order to be absolutely clear, the applicant made a solitary written offer of a sum of money with significant conditions attached. The detail of that offer is provided in its entirety at the end of this letter to illustrate why this was unacceptable to us.

The Planning Officer also observed that ***"...it is unfortunate that no agreement has been reached between the Band Hall Representatives and the applicant..."*** In this regard we are in total agreement with the Planning Officer.

We have also observed the reservations that the Planning Officer still harbours about noise. Accordingly we do respectfully wish to remind the Planning Committee that in our submissions (document ref: 1816519) we enquired if, in the event that it were minded to approve this application, the planning process could "**...put in place a planning restriction to prevent the construction of these houses, until such time as the developer has installed appropriate soundproofing and air conditioning measures to the existing band room...**"

Finally, we want to make clear that our position in relation to this and all earlier housing applications has been consistent throughout and that we remain opposed to this latest application.

Yours sincerely

A rectangular area of the document is redacted with a solid yellow color, obscuring the signature of John Wright.

John Wright
Band Trustee and Chairman

APPLICATION NO: 17/01517/MREM

PROPOSAL: Erection of 20no. four bedroom dwellings, 36no. three bedroom dwellings and 23no. two bedroom dwellings with associated infrastructure and landscaping (outline approval 15/00098/MOUT as allowed on appeal 22.07.2016 refers)

LOCATION: Land Adjacent To Auburn Cottages Langton Road Norton

UPDATE REPORT

Following the circulation of the Officer report, the following information/responses have been received:

- An Additional Plan from the applicant (attached to this report) showing; parkland railings alongside Langton Road as a replacement for the small amount of hedge to be removed for visibility purposes on the southern side of the access; and a cyclist/pedestrian access point onto Bazeley's Lane on the eastern side, with a staggered feature to ensure cyclists dismount before reaching Bazeley's Lane, together with a replacement hedge for visibility purposes.
- Two third party neighbour responses (appended to this report). These raise concerns about the implications for the safety of users of Bazeley's Lane from the new access. One of these third party responses contained 55 photographs showing vehicles, mainly HGV's using Bazeley's Lane. These photographs are not dated. It is not normal practice to provide copies of full third party responses on the agenda. However attached to this report is a sample of one the submitted photographs for Members information. The photographs are available to view online under the application reference number.
- Confirmation from the Highway Authority that they have no objection to the proposal.

The revised location of the pedestrian/cycle access is considered to relate well to the existing public footpath on the opposite side of the road, which is approximately 1-2m to the east. There is also an existing public footpath on Bazeley's Lane (north side) approximately 9m to the east of the proposed access point. The Highway Authority have been asked by Officers to consider extending the footpath across this small area to the site boundary.

In order to provide visibility for pedestrians/cyclists, approximately 30m of the existing hedge to the western side of the access point is to be removed, a replacement hedge planted 2.5m back from the highway edge is proposed. The raised area beneath the hedge will also be re-graded to the lower field level. This will allow sufficient visibility. It should also improve the visibility along Bazeley's Lane for all users.

The points made in the additional letters of objection in relation to Bazeley's Lane are noted. However, the access position was already agreed at Outline Stage. It is not possible to reconsider the access point. The access is only to serve pedestrians and cyclists. The Highway Authority has confirmed that the arrangement is safe in highway terms. It is noted that Bazeley's Lane is also used by horses. The impact of the horse racing industry and the movement of horses was also examined by the Inspector when the Outline application was allowed. It is not possible to re-examine the location of the pedestrian and cycle access point. Officers have tried to secure the best possible solution.

The objections relating to traffic on Bazeley's Lane appear to be regarding the existing situation and the lane being possibly used to avoid the Town Centre. It is considered that this issue goes beyond the consideration of this Reserved Matters application.

It is considered likely the replacement hedge will be acceptable to the Council's Countryside Officer, however at the time of writing this report his views are awaited in terms of the replanting specification. Members will be updated at the meeting.

In view of the above, the recommendation is one of approval subject to the Countryside Specialist raising no objections to the detail of the replacement hedge.

RECOMMENDATION: APPROVAL – subject to no objections from the Countryside Specialist to the proposed planting on Bazeley's Lane.

01 The development hereby approved shall be undertaken in accordance with the following plans/document:

- Location Plan 16076_00 - A
- Planning Layout 16076_01 - Z
- Street Scenes 16076_02 - A
- Materials Layout 16076_07 - C
- Boundary Treatment Layout 16076_05 - B
- Bazeleys Lane design 2025_1001_01
- Boundary Details 16076_06 - A
- Surface Treatments 16076_08 - C
- Site Sections 16076_09 - A
- Langton Road LEAP Plans
- Bamburgh Planning Drawing 2014/1054v1-PL09 - A
- Belmont Planning Drawing 2014/1244-PL
- Danbury Planning Drawing 2014/832v2-PL
- Halstead Planning Drawing 2017/651-PL-01
- Hogarth Planning Drawing 2014/953v2-PL - A
- Rothway Planning Drawing 2014/1028-PL
- Staveley Planning Drawing 2014/1032-SK - A
- Warwick Planning Drawing 2014/867-PL
- Windsor Planning Drawing 2014/857-PL
- Design And Access Statement
- Written Scheme Of Investigation For Archaeological Excavation T22669_WSI V2 (March 2017)
- Engineering Feasibility 4715-C-D10-05 - A
- Geoenvironmental Appraisal 2540/1 (October 2017)
- Ecological Appraisal 10155
- Soft Landscaping 1 10137_01 - F
- Soft Landscaping 2 10137_02 - G
- Soft Landscaping 3 10137_03 - H
- Soft Landscaping 4 10137_04 - G
- Soft Landscaping 5 10137_05 - F
- Soft Landscaping 6 10137_06 - H
- Soft Landscaping 7 10137_07 - C
- Soft Landscaping Overview 10137_08 - B
- Soft Landscaping 9 10137_09 - D
- Tree Survey Plan BA6157TS
- Tree Assessment BA6033 (June 2017)
- Tree Protection Plan 1 10922-ARB-01 - A

- Tree Protection Plan 2 10922-ARB-02 - A

Reason: For the avoidance of doubt.

- 02 Prior to the commencement of the development, precise details of the bridge across Mill Beck, including cross-sections shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance and ensure the proposal does not increase flood risk elsewhere and to satisfy Policy SP20 and Policy SP17 of the Local Plan Strategy.

Whitewall House Stables
18 Whitewall
Norton
Malton YO17 9EH

28 May 2018

Alan Hunter
Senior Specialist Officer (Place)
Ryedale District Council
Ryedale House
Malton YO17 7HH

Dear Mr Hunter

Re: Application No: 17/01517/MREM for Land Adjacent to Auburn Cottages, Langton Road, Norton

I am very concerned at the effect that the 80 new houses will have on the amount of traffic in Bazleys Lane, and of the safety implications of the cycle/footpath that is going to be built to exit onto Bazleys Lane on an already very dangerous blind-S-bend which is also on a hill with practically no visibility because of the bends (cutting the hedges will only mitigate to a very minor degree).

Firstly, Bazleys Lane is, and has long been, a **designated Bridleway number 25.70/14/1** which is adjacent to an **“Area of High Landscape Value**, and the **Bazleys Lane SINC “Site of Importance for Nature Conservation”**. The major part of it in the middle is single track, cut into the side of Scotts Hill with a narrow and continually subsiding footpath above it (which is unusable for example by pushchairs so those pushing prams tend to use the lane itself), and the Bridleway/Lane itself subsides continually as well into the field north of it. There are a couple of passing spaces cut into the hill which can take one car each. So if there are more than say 3 cars in both directions meeting at any point along there and particularly at the eastern end, you can get a stand-off because it is highly dangerous to reverse backwards safely round a blind bend.

The only reason Bazleys is accessible to motor traffic at all is because the excess tarmac from the A64 bypass construction was used up on it, but the implications of this on its primary status as Bridleway were not thought through and there was no consultation on this. It has been abused every since and steadily worsened, and with these new houses something has to be done to mitigate against it because the risks all round as going to escalate.

The speed restriction is 30mph which is much too high for this lane and there are all too frequent collisions – whether reported or not – there was one I saw the aftermath of just a few weeks ago involving two vehicles on the S bend right where this footpath/cycle path will emerge, with debris over the road. I do not know if it was reported to the Police (and suspect that often people do not want to because of the time it takes, and they just exchange details) but there is frequently broken glass in that part of the lane and standoffs with people getting out of their cars and shouting at each other is a regular occurrence. There is also a weight restriction of 7.5 tonnes. The Spring Cottage end is surrounded with springs (including under Bazleys Lane) in and around the lane and it has caused the whole surface to collapse in the past when over-used. All in all it is a very dangerous place to put a vulnerable entrance.

Bazleys Lane has for over 200 years long been the route to the racehorse training gallops for the racehorses from the west side of Norton, including from our stables. The more traffic that uses it the more dangerous it becomes, as drivers still drive too fast, use it as a short cut eg. to the schools in Langton Road (especially when late and short of time which has a negative impact on quality and consideration of driving). 80-90 new residences around the corner is going to have a negative impact on traffic in Bazleys Lane and Whitewall, and make it more dangerous for everyone, not least the racehorses and other horses, pedestrians (often with dogs) who come for the dog walking area on Scotts Hill, those exiting the new footpath/cycle path, and those already using it.

80 new residences with for example an average of 1.5 cars per household could easily generate 400 additional traffic movements a day and a significant proportion of these could opt to use Bazleys Lane instead of Langton Road to reach Norton because of the school traffic volume and bottlenecks in Langton Road because of the traffic calming there. This has not been mitigated against at all and this is negligent. Even the Planning Inspector stipulated that there should be improved signage regarding horses (which does not seem to feature in the plans).

It is all too regular an occurrence that horses can get boxed in by the traffic coming from both directions, and have no way of moving forwards because traffic is backing up both ways – clearly their rights for safe passage on this Bridleway are not being looked after and the Councils and Highways are responsible for ensuring that they are, and will be held responsible should their negligence lead to a serious accident involving a racehorse.

Bazleys Lane/Whitewall was closed recently for a few days, during a normal working termtime week (in March), and it was noticeable that this did not attract any negative complaints on “Connecting Malton and Norton” Facebook group where it was notified, and presumably those who use it as a short cut are more than able to use the alternative proper road routes.

Solution:

1. Restrict Bazleys Lane to “Access Only” from either direction, for residents and the farm and dogwalking traffic. This would also ensure that it became much safer for its role as a Bridleway. Perhaps a barrier near the Scotts Hill parking area would work best, and it would also cut down the reckless joyriders who use it as a speedway at all hours of the day and night. There should be a place for horses and bicycles to be able to walk through safely but not wide enough for cars.
2. Reduce the speed limit to 10 mph. It would make the footpath/cycle path exit much safer for everyone including those exiting it which it can be imagined will include children on cycles, who will see Bazleys Lane as an extension of their play area which is a nightmare scenario.
3. Cutting the hedge back only improves visibility to a limited extent because you still cannot see round the corners coming from either direction, and this will also be the case for people coming out of the cycle/footpath into Bazleys Lane. It will make no difference for example to small children with pushbikes.
4. Improved signage in all directions including on the footpaths regarding horses and the Bridleway status.

Yours sincerely

Fiona Campion (Mrs)

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: 17/01517/MREM

Proposed Development: Erection of 20no. four bedroom dwellings, 41no. three bedroom dwellings and 18no. two bedroom dwellings with associated infrastructure and landscaping (outline approval 15/00098/MOUT as allowed on appeal 22.07.2016 refers)

Location: Land Adjacent To Auburn Cottages Langton Road Norton Malton

Applicant: Keepmoat Homes

CH Ref: TD/D4/973

Case Officer: James Kennedy

Area Ref:

Tel: 01609 780780

County Road No:

E-mail: development.control@northyorks.gov.uk

To: Ryedale District Council
Ryedale House
Old Malton Road
MALTON
North Yorkshire
YO17 9HH

Date: 30 May 2018

FAO: Alan Hunter

Copies to:

There are no local highway authority objections to the proposed development

Signed:

James Kennedy

Issued by:

Transport and Development
East Block
County Hall
Northallerton
North Yorkshire
DL7 8AH

For Corporate Director for Business and Environmental Services

e-mail: development.control@northyorks.gov.uk

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

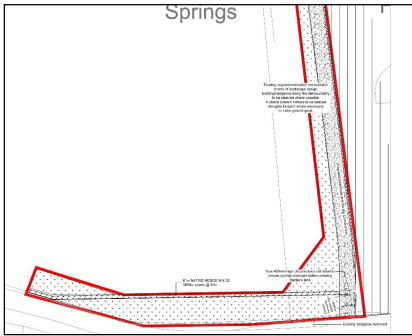


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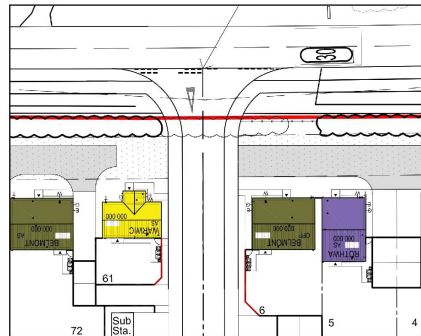
Page 2 of 2

Application No:

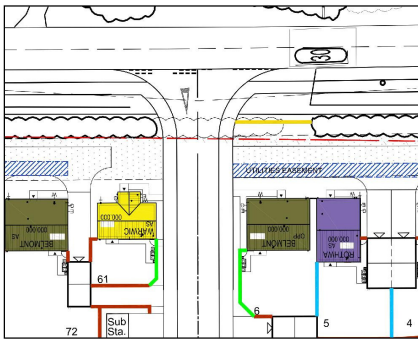
17/01517/MREM



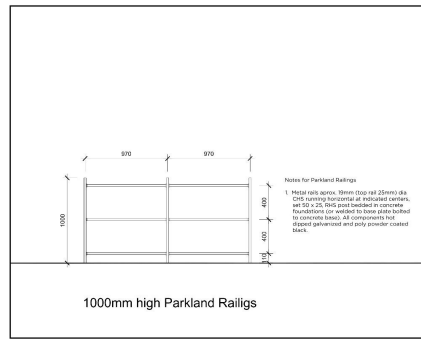
10137_09_E Soft Landscaping 9 (Extract)



16076_01_AB Planning Layout (Extract)



16076_05_C Boundary Treatments (Extract)



16076_06_A Boundary Detail (Extract)

DATE	DESCRIPTION	BY	CHK
2025	2025	2025	2025

Extract Drawing For Planning Use

Dwg No. 2025_1001_01

Keepmoat, The Waterfront, Lakeside Boulevard, Doncaster, DN4 5JY
 Tel: 01302 843635 www.keepmoat.com

Keepmoat Homes

Date 25/05/2018

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From: Mark Campion
Sent: 31 May 2018 15:16
To: Alan Hunter
Subject: 17/01517/MREM

Dear Alan,

I object to the above application due to the adverse impact from additional traffic generation created by the proposed development. Bazleys Lane and Whitewall is a narrow single track lane /Bridleway with steep inclines on both North and Southern aspects, there has been a significant increase in traffic using the lane since the change to the layout of the junction at the bottom of the Welham Rd, causing displacement of vehicles to Bazley's Lane /Whitewall.

WSP carried out a survey in 2017 that confirmed 705 vehicles used the lane daily 15% were HGV's and the average speed was 27 mph . There is a 7.5t weight limit

Jacobs traffic survey that took place in 2016 confirmed that both the Welham rd and Wold street junctions were significantly above capacity.

I am sending a series of emails clearly showing abuse of the weight restriction which continues .

Whitewall and Bazley's Lane is a bridleway which has been used for centuries for racehorses to access the gallops further traffic from the proposed development could potentially cause Health and Safety risks.

Kind regards

Mark Campion



Item 8

From: dm@ryedale.gov.uk

Sent: 25 May 2018 13:08

To: Niamh Bonner

Subject: Comments for Planning Application 18/00036/MFUL

Planning Application comments have been made. A summary of the comments is provided below.

Application Summary

Address: Ellis Patents High Street Rillington Malton YO17 8LA
Erection of an industrial unit (Use Class B2 and B8) and covered area over existing service road to include installation of 408no. photovoltaic panels to the proposed roof slopes together with relocation of existing oil tank, formation of an additional 13no. car parking spaces and replanting of existing landscape screening.

Proposal:

Case Officer: Niamh Bonner

Customer Details

Name: Mr Edward Pickering

Email:

Address: St Marys Lodge, High Street, Rillington Malton, North Yorkshire YO17 8LA

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Reasons for comment:

Comments: In due course, erection of the required building will cause an increase in business and hence more employment for local people. Hence, good for the local economy. Additionally, local taxes paid will increase!