

29 June 2018

PLANNING COMMITTEE

Tuesday 3 July 2018 at 6.00 pm
Council Chamber, Ryedale House, Malton

Agenda

17 Late Observations

(Pages 2 - 30)

Agenda Item 17

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

29th July 2018

Dear Councillor

Meeting of the Planning Committee – 3rd July 2018

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

Yours sincerely



Mrs Karen Hood
Senior Customer Services Officer (Place)

LATE PAGE UPDATE

Item 8 Application 17/01220/MFULE. Whitby Rd. Pickering

Since the agenda was published three further responses have been received from local residents which raise the following points,

Continued objection to two bedroomed dwelling adjacent to west boundary Plots 177/8- these introduce overlooking. The matter is not being dealt fairly as is the case on the southern boundary of the site.

Concerns over handling of surface water discharge from the site.

Objections remain but welcome landscape buffer proposed on southern boundary plus concerns over future maintenance and potential for future tension between neighbours.

Still object to two storey dwellings to rear of nos 29,31 and 33 Marshall Drive on Plots 125/126. Express the view that these dwellings should be bungalows

Full copies of these further letters can be viewed on the Council's website.

In addition to these further comments a copy of the agent's letter dated 26.04.2018 which was omitted from the agenda documents is appended together with sections information and photographs of the immediate area in relation to Plots 125 and 126 is appended provided by the agent.

In relation to the additional planting proposed on the southern boundary the agent also notes that additional planting is also proposed on the site's north and eastern boundaries as shown on the layout plan in order to respond to the recommendations in the landscape and visual impact assessment.

In relation to the long term maintenance of the southern boundary the agent has corresponded directly with one of the local residents setting out his thoughts in relation to the proposed planting and fencing arrangements. The email exchange setting out the agent's response is also attached for Members information.

Following on from the agenda report the list of recommended conditions is also attached for Members information. See below.

Gary Housden
Head of Planning
Ryedale House
Malton
North Yorkshire
YO17 7HH

26th April 2018,

Dear Gary,

LAND EAST OF WHITBY ROAD, PICKERING – DEVELOPMENT OF 239 RESIDENTIAL DWELLINGS, PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE – APPLICATION REF. 17/01220/MFUL

I write further to our recent correspondence and meetings. This letter provides a synopsis of the work we have undertaken in order to respond positively to the comments we have received from Ryedale District Council (RDC) and consultees in response to the above planning application.

The letter is supported by a number of updated documents which we request that RDC commence formal consultation on as soon as is practicably possible. As RDC are aware, it is our intention that the application be heard at RDC's June planning committee.

ENVIRONMENTAL STATEMENT – GROUNDWATER SOURCE PROTECTION ZONE

Following the receipt of RDC's Screening Opinion on the 19th March 2018, the applicant has prepared an Environmental Statement in respect of the development of the site. The applicant has placed the relevant consultation notice in the local newspaper and now request that RDC make reference to the application being EIA development when undertaking their own consultation in respect of the revised planning application.

As this letter will be placed in the public domain, I provide below the background context in respect of the need for Environmental Statement with regards to this planning application.

An EIA Screening Request was submitted to Ryedale District Council following the submission of the planning application on the 24th November 2017. This was to ensure that the applicant had the ability to identify the proposed mitigation to every technical matter associated with the development proposals. Particularly in respect of the Groundwater Source Protection Zone 1 which is located beneath the application site.

The pre-application meeting and correspondence with Ryedale District Council identified that the Groundwater Source Protection Zone 1 was considered to be the key environmental concern associated with the development of the site.

The site is a draft housing allocation for 250 homes within the now submitted Ryedale Local Plan Sites document. Prior to the site's identification as a draft housing allocation, Ryedale District Council undertook a number of discussions with Yorkshire Water and the Environment Agency. These discussions identified the necessary mitigation and evidence needed to ensure that the development proposals would not impact upon the Groundwater Source Protection Zone 1.

These discussions led to the following criteria being included in the draft planning policy associated with the site's development: *"Sustainable drainage system to be integrated into design which reflects the Source Protection Zone, in regard to Surface water drainage scheme and Foul water drainage scheme".*

It is therefore clear that all parties agree that suitable mitigation can be provided to ensure that the Groundwater Source Protection Zone is protected.

The planning application was supported by the submission of a Flood Risk Assessment & Drainage Strategy and a Geo-Environmental Appraisal.

With regards to the Groundwater Source Protection Zone 1, the Geo-Environmental Appraisal identifies that the Environment Agency may require details of mitigation measures to reduce pollution risks during the construction phase and that the “double lining” of foul sewers should be anticipated in order to ensure that any risks to contamination would be adequately mitigated. The report also identifies that the design of drainage and foundations will be required to take groundwater into consideration during the discharge of planning conditions stage. In addition to this, a Construction Environmental Management Plan will be required to satisfy consultees that the development is suitably managed during the construction phase. Evidence that is due to be submitted to discharge any relevant planning conditions imposed by the Environment Agency and Yorkshire Water.

The submitted Flood Risk Assessment & Drainage Strategy identifies that Yorkshire Water confirmed prior to the submission of the planning application that special construction measures for drainage and storage structures within the site will be required in accordance with the Yorkshire Water publication, ‘Guideline for developers to Yorkshire Water requirements for new sewerage infrastructure in Groundwater Source Protection Zones’.

Following the submission of the planning application, consultation responses were received from Yorkshire Water and the Environment Agency.

Yorkshire Water confirmed by letter dated 24th November 2017 that they had no objections to the proposed development subject to the imposition of a planning condition that requests a Construction Environmental Management Plan to be submitted and agreed with them prior to the commencement of development on site. The response identifies that the Construction Environmental Management Plan should be based on the evidence provided within the Geo-Environmental Appraisal submitted with the planning application.

The response from the Environment Agency to the planning application was received on the 20th November 2017. The response identified that they have no objections to the proposed development subject to the imposition of a condition which requires the submission and approval of a Construction Environmental Management Plan prior to commencement of development. It further states that the Construction Environmental Management Plan should include the implementation of mitigation measures designed to protect the contamination of groundwater.

As the submitted Geo-Environmental Appraisal detailed that the appropriate mitigation strategy would be to “double line” the sewers to be delivered as part of the development with contamination inceptors being provided within both the sewer and the sewer trench (a standard mitigation strategy in such circumstances) it was considered that sufficient information had been provided to enable the planning application to be determined in respect of the Groundwater Source Protection Zone 1. Indeed, this is the reason behind Yorkshire Water and the Environment Agency not objecting to the development proposals.

Notwithstanding this position, RDC’s Screening Opinion was received on the 19th March 2018 identifying that they require the submission of an Environmental Statement in respect of the development proposals.

The response identifies that RDC concurred with the findings of the applicant’s screening request in respect of the development proposals not being EIA development, other than in respect of matters associated with the Groundwater Source Protection Zone 1. The screening opinion specifically states in this regard that: -

“The Local Planning authority is aware that you have undertaken a screening exercise regarding the site, and would concur with the majority of the report’s findings. However, where the conclusions are not aligned is in respect to the Ground Source Protection Zone designation, and the potential for significant environmental effects based on the level of sensitivity being Level 1, and therefore of the highest level of sensitivity. Although the risk is lower due to the proposal being for residential development; ground water pollution would be a very serious environmental impact with serious ramifications for the supply of water to Pickering.”

RDC’s Screening Opinion contains a detailed matrix-based assessment in respect of all other potential environmental impacts associated with the proposed development of the site. In a similar level of detail to that provided by the applicant in their initial Screening Request.

On account of the detailed Screening Request, Screening Opinion and correspondence between the applicant and RDC since the receipt of the Screening Opinion, it has been determined that this informal scoping exercise has identified that the only topic to be included within the Environmental Statement is in respect of Ground Conditions, in association with the Groundwater Source Protection Zone.

The Environmental Statement will be submitted as part of the revised planning application to which this letter relates. It will however be submitted separately and directly to RDC by BWB Consulting (who are preparing the document) by the 30th April 2018.

DESIGN & LAYOUT

Enclosed with this letter is an amended **Planning Layout** and **Landscape Masterplan** of the proposed development. We have reviewed the comments made to the application by RDC and consultees and have sought to respond to each of these comments as positively as possible. Key amendments made to the proposals are as follows: -

- The relocation of bungalows next to existing bungalows located adjacent to the southern boundary of the site.
- Utilising **Cross Sections**, we have assessed the difference in levels between the proposed and existing properties located along the southern boundary of the site. As result we have: -
 - Included the provision of an additional bungalow at Plot 175, making the total number of bungalows to be provided in the scheme as thirteen, which is in excess of RDC’s policy criteria;
 - Increased the separation distances between existing and proposed properties along the site’s southern boundary to ensure that the amenity of existing residents is protected; &
 - We have amended the finished ground and floor levels of plots along the southern boundary to ensure that the amenity of existing residents is protected.
- We have assessed the separation distances of the proposed and existing properties located along the western boundary of the site and have sought to increase these where possible, resulting in distances meeting or being greater than standard separation distances along this boundary of the site. In order to ensure that a suitable separation distance is being provided the gardens of the proposed houses have been increased significantly above normal standards and are larger than those of existing properties in all but one of the examples provided. For the avoidance of any doubt all of the submitted Cross Sections relate to “rear elevation to rear elevation” separation distances, other than Cross Section Ref. M to M which relates to the side elevation of the existing property and the rear elevation of the proposed property.

- In order to ensure that the two high category trees located on the site's northern boundary are protected from the impact of development, we have repositioned public open space along the site's northern boundary. This amendment also aids the design and layout of the development proposals through the creation of a central linear area of public open space spanning the entire development.
- The submitted **Landscape Masterplan** provides further details in respect of the uses of each of the proposed areas of public open space. The strategy has been to provide a variety of uses, each inter-connected by internal footpaths, which cater for a variety of users from toddlers through to adults.
- We have amended the alignment of the path on the northern extent of the central area of public open space that contains the SuDS feature. This is to ensure the root protection area of the tree is safeguarded.
- The boundary treatment located on the southern boundary of the central public open space, which adjoins existing residential properties, has been revised to provide a more visually appropriate treatment. This was previously a 1.8m high close boarded fence.
- As requested by North Yorkshire County Council, the first junction within the site has been relocated to create a 30m off-set from the main access point. This off-set will provide appropriate forward visibility and junction separation in accordance with MfS guidance, particularly bearing in mind that vehicles will be entering the development at slow speeds.
- As requested by North Yorkshire County Council, the shared surface loop road has also been redesigned to create a traditional estate road construction as discussed and agreed in principle with them.
- Areas which contain front of plot parking have been revised to increase spacing at the front of the properties to enable the provision of additional landscaping, softening the visual appearance of the scheme and screening parked cars. It is envisaged that further "hard" features can be placed in front of the landscape areas to ensure that they are retained and not utilised as additional parking areas. With regards to the northern area of front of plot parking, Plot 7 has been moved forward to provide a further visual screen. The submitted **Street Scene drawings** provide evidence of our approach.
- Parking provision throughout the scheme has also been revised in accordance with North Yorkshire County Council's requirements.

It is our view that we have responded positively to each of the design and layout comments received since the submission of the planning application. Our response identifies the applicant's desire to work alongside RDC and local stakeholders to ensure that we have designed a development that both meets and better planning policy guidance. Particularly in respect of the number of bungalows provided, the amount of public open space to be delivered and the separation distance between proposed and existing properties.

HIGHWAYS MATTERS – PEDESTRIAN CONNECTIVITY

As requested by North Yorkshire County Council's response to the application dated 24th January 2018, enclosed with this letter is a **Pedestrian Audit** undertaken by Optima Highways Consultants. The Pedestrian Audit includes a detailed assessment of the existing pedestrian connectivity from the application site to the services and facilities located within walking distance of the site.

The Audit importantly proposes improvements along the key pedestrian route to Pickering Community Infant & Nursery School from the development site. Drawing Ref. 15119/GA/02 enclosed within

Appendix B identifies the exact location of the proposed footpath widening to provide a width of 2m. The footpath improvements will of course provide an important benefit to existing residents of this area of Pickering as well.

In order to ensure the delivery of the proposed enhancements, the developer will provide a financial contribution to North Yorkshire County Council to upgrade the existing footpath. Details of which are included in the submitted Draft Section 106 Agreement, enclosed alongside this letter.

Alongside the footpath enhancements described above, the development will also deliver a pedestrian refuge island located in the centre of the A169 to enable residents of the development to safely cross the A169 to the upgraded pedestrian facilities. Details of the amended pedestrian facilities at the site access are identified on Drawing Ref. 15119/GA/01 which is contained within Appendix C of the Pedestrian Audit.

Drawing Ref. 15119/GA/01 also provides details of the original proposal to extend the existing footways along the A169 into the development site to tie into the proposed site access. A new 2.0m wide footway is proposed along the southern flank of the A169 in order to provide a direct connection with the existing bus stops located 150m to the northeast of the site access. A footway will also extend 10m to the south of the access in order to allow pedestrians to cross the A169 in the optimal location.

It is considered that the information submitted within the Pedestrian Audit and the amendments made to the planning layout have resolved the outstanding issues identified within North Yorkshire County Council's response to the planning application. Our response has also sought to respond positively to comments received from Pickering Town Council and local residents as well.

AFFORDABLE HOUSING

The amended Planning Layout and **Draft Section 106 Agreement** submitted alongside this letter confirm the policy compliant provision of 35% affordable housing within the development proposals.

Details of the affordable housing being provided within the development scheme are as follows: -

House Type	Number of House Type	Bedroom Number	Storey Height	Bed Space Number
N107	8	1 Bed	2 Storey	2 Person
P237	8	2 Bed	2 Storey	4 Person
SH50	31	2 Bed	2 Storey	4 Person
SH50	19	2 Bed	2 Storey	4 Person
SH52	11	3 Bed	2 Storey	5 Person
SH52	6	3 Bed	2 Storey	5 Person

The applicant has undertaken a number of discussions with a variety of Registered Providers and can confirm that there is concrete interest from one in respect of securing all of the identified affordable properties at the site.

We have requested that the Registered Provider in question commences discussions with Ryedale District Council's Housing Officers subsequent to the submission of this letter. The aim is to ensure that the Section 106 Agreement is agreed by all parties at the earliest opportunity.

The Draft Section 106 Agreement submitted alongside this letter identifies our proposed trigger points in respect of the delivery of the proposed affordable homes at the site.

PREMATURITY

As a number of consultees have raised the potential issue of prematurity in respect of the development proposals, we thought it prudent to provide an analysis of the development proposals in this regard.

With regard to the Council's emerging policy guidance, and particularly the Sites Local Plan document which identifies the application site as a draft housing allocation under Policy SD5 for 250 homes, Paragraph 216 of the NPPF identifies that decision takers may give weight to relevant policies where their preparation is advanced, where there are no significant outstanding objections and where the policies are consistent with the NPPF.

At the time of writing this planning statement there are no significant outstanding objections from statutory consultees in respect of the Council's proposed allocation of the site or indeed the current planning application.

Since the submission of the planning application Ryedale District Council have submitted the Ryedale Local Plan Sites document to the Secretary of State. The point at which various planning case law examples identify that the document can carry weight in the determination of planning applications.

Finally, as identified within this letter and the submitted Planning Statement, it is considered that the development proposals are fully in accordance with the relevant policies contained within both the NPPF, the Ryedale Local Plan Strategy Document and the recently submitted Ryedale Local Plan Sites document.

With regards to the specific case of the planning application, Paragraph: 014 Reference ID: 21b-014-20140306 of the Planning Practice Guidance identifies that prematurity is unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Furthermore, the development proposals will deliver 239 homes of the District's overall minimum housing requirement of 3,000 homes over the plan period. **This equates to just 8%.** With specific regards to Pickering, the Ryedale Local Plan Strategy document identifies that a minimum of 750 homes are to be distributed to the settlement within the plan period to 2027. Accordingly, the development proposals equate to just 32% of Pickering's minimum housing requirements in the plan period.

What must also be considered when assessing the issue of prematurity is the ability of the development proposals to meet the current housing needs of the District, in particular affordable housing needs. Waiting for the adoption of the Ryedale Local Plan Sites document would delay the delivery of new homes in the District by at least 12 to 18 months. Within this timescale the development proposals could deliver 55 to 90 new market and affordable homes.

On account of the above we do not believe that there is a case for prematurity in respect of the development proposals and accordingly Ryedale District Council have the ability to determine the planning application ahead of the adoption of the Ryedale Local Plan Sites document.

SOCIO-ECONOMIC BENEFITS OF THE DEVELOPMENT PROPOSALS

When considering the content of this letter, we believe it is pertinent to remind RDC of the number of socio-economic benefits that the development can deliver.

It is our view that the following socio-economic benefits should be given substantial weight in the determination of the planning application: -

- The development proposals will make a substantial contribution to maintaining the Council's 5-year supply of deliverable housing sites in the District.
- The development proposals will deliver 35% affordable homes (83 homes) on site, providing a significant contribution to delivering Ryedale's affordable housing needs.
- The site represents a draft housing allocation for 250 homes within the now submitted Ryedale Sites Local Plan document. Accordingly, it has been identified as a suitable, available and achievable housing site by Ryedale District Council.
- The development will provide off-site pedestrian footpath enhancements which will benefit both proposed and existing residents of this area of Pickering.
- The development proposals include the provision of a significant amount of open space and landscaping which will be delivered throughout the site.
- Creating sustainable communities through meeting market and affordable housing needs, offering existing and potential residents of 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 S106 obligations and Community Infrastructure Levy payments.
- New capital expenditure in the region of £28.9m creating direct and indirect employment opportunities of approximately 124 new jobs per year over a 7-year build programme, of which 70% are usually retained in the local area. This could include apprenticeships for local people.
- 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 by £5.68m per annum and a first occupation retail expenditure of £1.32m.
- Provision of funding towards public services from an estimated figure of £2.2m from the Government's new homes bonus and annual council tax payments of £367,200 per annum.

With regards to Community Infrastructure Levy payments from the development proposals, it is anticipated that the development would deliver a contribution of approximately **£1.45m**. This funding can be used by the Council and the Town Council towards the improvement of sustainable transport and community infrastructure.

In addition, similarly, the potential New Homes Bonus contribution of **£2.2m** and annual Council Tax payments, would provide a substantial level of funding to help improve sustainable transport and community infrastructure.

With specific regards to the New Homes Bonus, we have a number of examples where Councils have considered this almost akin to a S106 Contribution to be attached to the planning permission, given the tangible benefits it can deliver to local infrastructure.

When considered in combination, the development proposals can deliver a significant level of socio-economic benefits to Pickering that should be given substantial weight in the determination of the planning application. Particularly as the evidence provided in this letter, the technical reports submitted with the planning application and the Environmental Statement confirm that there are no impacts of the development proposals that cannot be mitigated, or which would outweigh the number of benefits that it can deliver.

CONCLUSIONS

This letter provides a synopsis of the work we have undertaken in order to respond positively to the comments we have received from RDC and consultees in response to the planning application.

The letter is supported by a number of updated documents which we request that RDC commence formal consultation on as soon as is practicably possible. As RDC are aware, it is our every intention that the application be heard at the Council's June planning committee.

Following a review of the content of this letter and its enclosures, we hope you will agree that the applicant has responded positively to every issue raised at this point of the determination of the planning application.

When assessing the amended proposals, we request that the Council considers the development proposals on a holistic basis. By doing so, we hope you will agree that the significant benefits that the scheme can deliver should be given substantial weight in the determination of the planning application.

We look forward to hearing from you at your earliest opportunity to confirm that the re-consultation of the application has commenced.

Should you wish to discuss the content of this letter further then please do not hesitate to contact me.

Yours faithfully



PAUL BUTLER
Director

Enc.



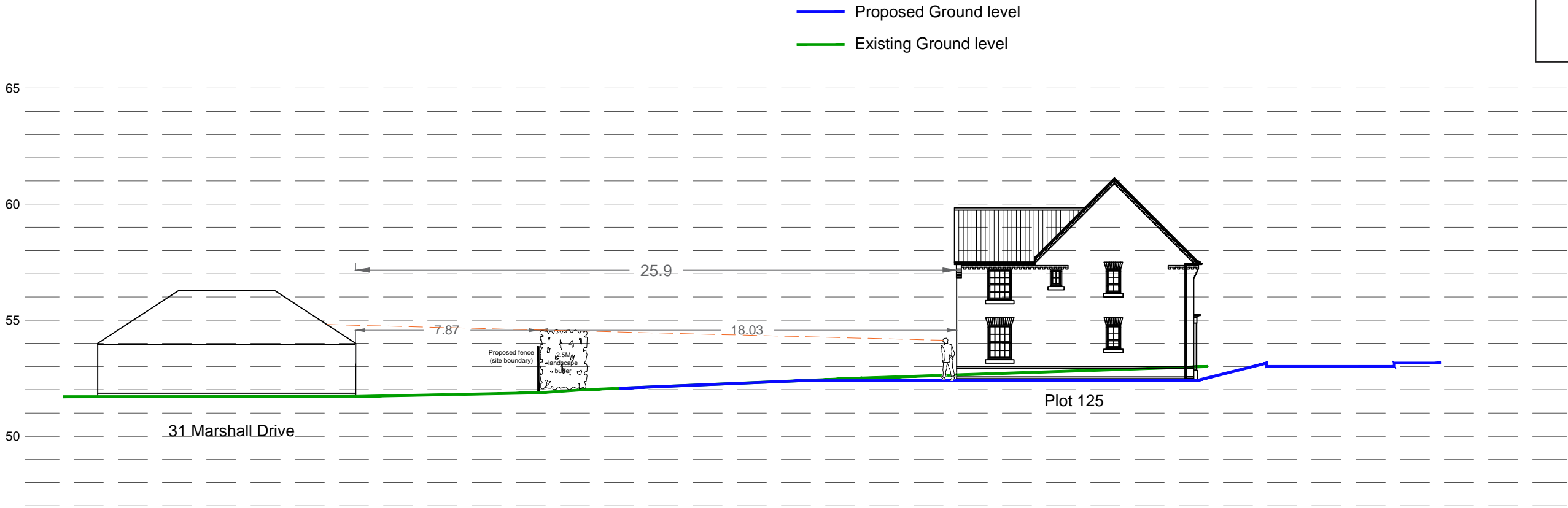




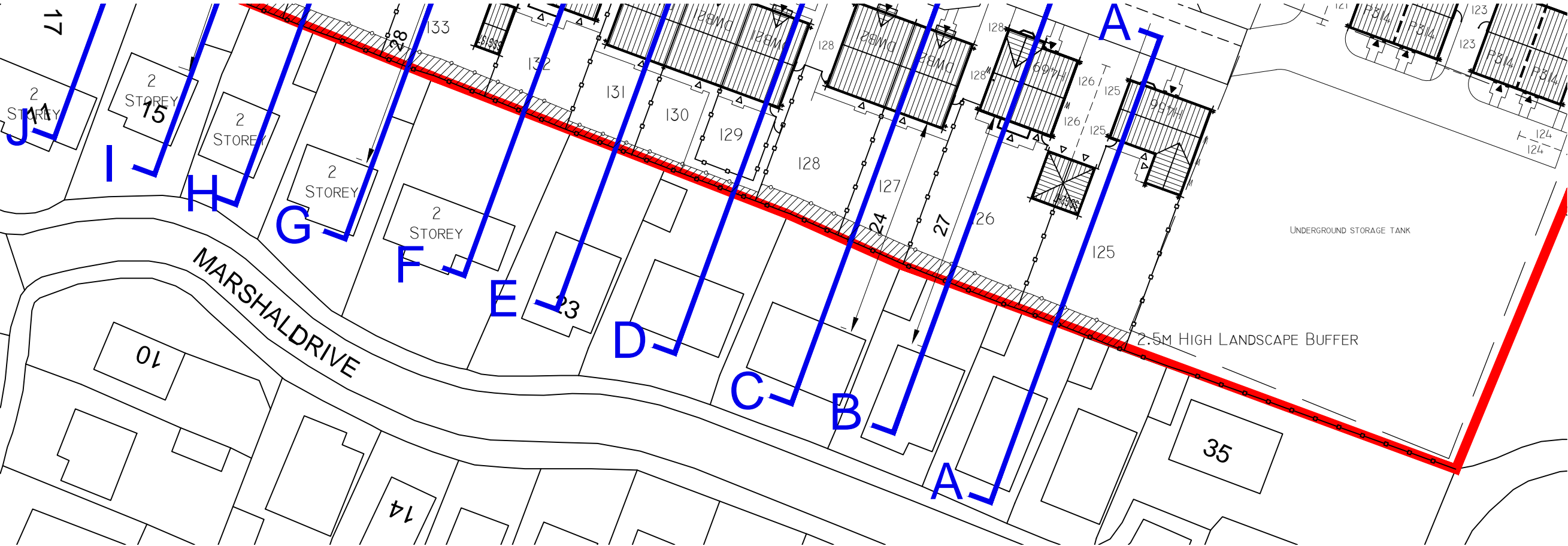




Notes:



CROSS SECTION A-A



E	Indicative floor level shown for existing plot.	TS	29.06.18
D	neighbouring eye line indicated.	SD	25.06.18
C	2.5M Landscape buffer added to rear	SD	23.05.18
B	Updated to suit Planning Layout Rev R. Plot moved forward away 4m from existing and lowered 0.45m	SSH	16.05.18
A	Annotation amended for separating fence.	TS	14.05.18
REV:	DESCRIPTION:	BY:	DATE:
STATUS:		X	

STEN
ARCHITECTURE

Suite 4, Unit 1,
Benton Office Park,
Bennett Avenue,
Horbury,
Wakefield,
WF4 5RA
Tel: 01924 669424

Web: www.sten-architecture.co.uk

Twitter: [@STEN_arch](https://twitter.com/STEN_arch)

Facebook: [stenarchitectureltd](https://www.facebook.com/stenarchitectureltd)

LinkedIn: [Sten Architecture](https://www.linkedin.com/company/sten-architecture)

CLIENT: **Barratt & David Wilson Homes**
6 Alpha Court
Monks Cross Drive
York, YO32 9WN

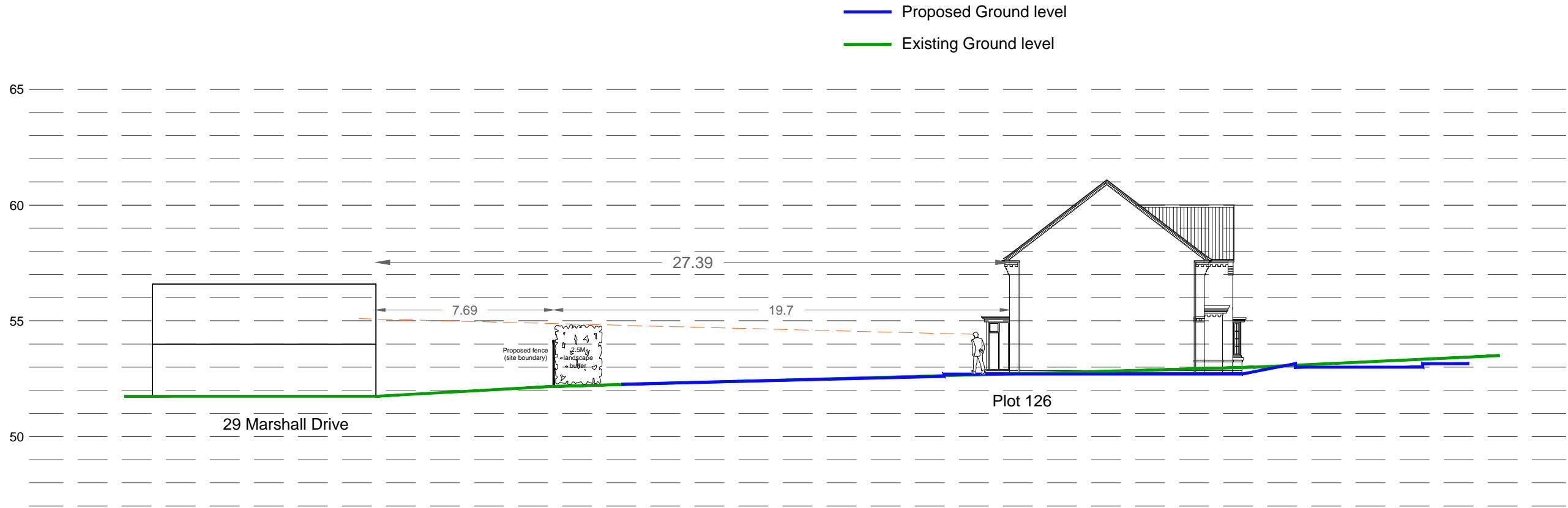
SITE: **Whitby Road
Pickering**

TITLE: **CROSS SECTION A-A**

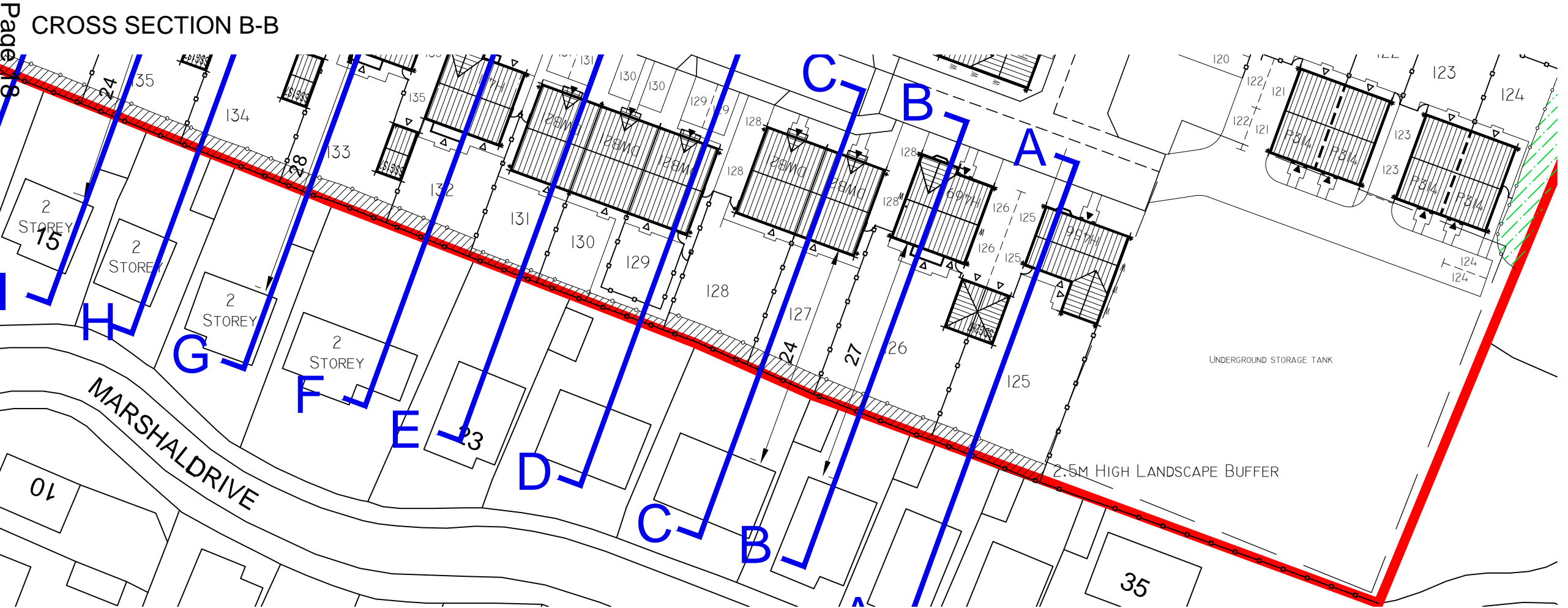
SCALE AT A3: 1:200/500	DATE: 20.04.18	DRAWN: SD	CHECKED:
PROJECT NO: 1655	DRAWING NO: 1655.51	REVISION: E	

Notes:

xx



CROSS SECTION B-B



E	Indicative floor level shown for existing plot.	TS	29.06.18
D	neighbouring eye line indicated.	SD	25.06.18
C	2.5M Landscape buffer added to rear	SD	23.05.18
B	Updated to suit Planning Layout Rev R. Plot moved forward away 4m from existing and lowered 0.45m	SSH	16.05.18
A	Annotation amended for separating fence.	TS	14.05.18
REV:	DESCRIPTION:	BY:	DATE:
STATUS: X			

STEN
ARCHITECTURE

Suite 4, Unit 1,
Benton Office Park,
Bennett Avenue,
Horbury,
Wakefield,
WF4 5RA
Tel: 01924 669424

Web: www.sten-architecture.co.uk
Twitter: [@STEN_arch](https://twitter.com/STEN_arch)
Facebook: [stenarchitectureuk](https://www.facebook.com/stenarchitectureuk)
LinkedIn: [Sten Architecture](https://www.linkedin.com/company/sten-architecture)

CLIENT: **Barratt & David Wilson Homes**
6 Alpha Court
Monks Cross Drive
York, YO32 9WN

SITE: **Whitby Road
Pickering**

TITLE: **CROSS SECTION B-B**

SCALE AT A3: 1:200/500	DATE: 20.04.18	DRAWN: SD	CHECKED:
PROJECT NO: 1655	DRAWING NO: 1655.52	REVISION: E	

Gary Housden

From: Contact PB Planning <contact@pbplanning.co.uk>
Sent: 29 June 2018 14:32
To: Gary Housden; Colin Douthwaite
Subject: FW: 17/01220/MFULE - Land East of Whitby Road, Pickering

FYI

From: Contact PB Planning
Sent: 11 June 2018 11:38
To: ~ ~
Subject: RE: 17/01220/MFULE - Land East of Whitby Road, Pickering

Good morning,

Again, such details would be provided to discharge an appropriately worded planning condition. We would look to ensure that the chosen planting regime would mean that any maintenance of the fence would not regularly be needed, if at all. Access to the fence could also be provided for each plot by including a small gap in the landscape buffer in the garden of each property to enable them to access the rear of the landscape buffer. We are happy to work through all solutions when discharging the relevant condition.

Thanks,

Paul

Paul Butler
Director



From: ~ ~ ~
Sent: 08 June 2018 17:14
To: Contact PB Planning <contact@pbplanning.co.uk>
Subject: Re: 17/01220/MFULE - Land East of Whitby Road, Pickering

Hello again, Mr Butler,

A few follow on questions, if I may.

Ownership and maintenance of the 1.8m high fence? Please explain how it will work when the fence needs to be maintained. If under the ownership and responsibility of a future resident, how would you expect them to get a replacement fence panel through the hedge, particularly once the hedge has matured?

I think it would be good to know that you have considered the logistics and that you can reassure us, as to how this will work in the long term. It would be unsatisfactory to be left with an unmaintained border treatment or, border treatment that disappears over time.

I'm guessing that you will covenant such matters?

Kind regards, Paul Littlewood.

Gary Housden

From: Contact PB Planning <contact@pbplanning.co.uk>
Sent: 29 June 2018 14:32
To: Gary Housden; Colin Douthwaite
Subject: FW: 17/01220/MFULE - Land East of Whitby Road, Pickering

FYI

From: Contact PB Planning
Sent: 11 June 2018 11:32
To:
Subject: RE: 17/01220/MFULE - Land East of Whitby Road, Pickering

Good morning,

For ease I have responded directly to your questions in red below.

Paul

Paul Butler
Director



From
Sent: 08 June 2018 12:17
To: Contact PB Planning <contact@pbplanning.co.uk>
Subject: 17/01220/MFULE - Land East of Whitby Road, Pickering

Dear Mr Butler,

In your latest revision of the site layout plans (rev. T) you show a 2.5m high landscape buffer on the southern border of the site.

Would you please share a little more detail?

How deep and how dense will this buffer be? The latest layout shows the landscape buffer being 2m wide across the majority of the southern boundary of the site, which is then shortened to 1m to the rear of plots 129 to 131. This is because these plots are a block of three bungalows meaning we need extra space to allow for a rear access to Plot 130 for bins/bikes etc.

What type of hedges/plantings (typical species) do you intend to place in the buffer? The exact planting is proposed to be conditioned and details will be provided to the Council in due course. David Wilson Homes' landscape consultants will identify what they consider to be an appropriate planting regime for the area/buffer. This would then be submitted to the Council to formally discharge the relevant planning condition. Local residents would be consulted by the Council as part of the application to discharge the condition.

How mature will the plantings be? Again, such detail is proposed to be conditioned to the application if it is approved. A formal application would then be submitted to the Council to discharge the condition. Local residents would be consulted by the Council as part of the application to discharge the condition.

When will they be planted? This will relate directly to the maturity of the planting, which is to be agreed. Though this area of the site will likely not be built on for at least the first year of development and as such the planting could be done following commencement of development to allow it to grow ahead of this area of the site's development. The timing will be agreed through the discharging of the relevant planning condition.

Who will own the plants? Our current proposed option is that they would be owned by the prospective residents of the new houses. A covenant would then be placed in the deeds of the house purchase that legally requires the purchaser to maintain the buffer and to ensure that it isn't removed.

Who will maintain/trim the plants? The prospective residents of the new houses.

How will the plants be protected? By this I mean; to ensure that they are not removed/reduced below 2.5m height etc and to ensure that similar specimens are replanted in the event that the originals die/diseased or are removed? A covenant would be placed in the deeds of the house purchase that legally requires the purchaser to maintain the buffer and to ensure that it isn't removed.

The buffer appears to be in the curtilage of some of the proposed homes, but separated by rails? This probably relates to the earlier questions about ownership and maintenance but, I wonder how you intend that appropriate and timely maintenance would be facilitated if the hedges can only be accessed via private property? The latest plan shows a post and rail fence in front of the buffer, which is to provide further protection to the buffer in respect i.e. to distinguish the buffer area from the purchaser's garden.

Kind regards, Paul Littlewood.

on behalf of the committee and the members of the Heatherside (Pickering) Residents Association

ITEM 8

17/01220/MFULE – Land at Whitby Road Pickering

RECOMMENDED CONDITIONS

01. The development hereby permitted shall be begun on or before

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

02. Following occupation of the 50th dwelling a scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority detailing pedestrian enhancements between the development site and Pickering Community and Infant School. The agreed scheme shall be implemented prior to the occupation of the 75th dwelling. The agreed scheme will deliver a footpath of no less than 1.5m in width but aim to achieve a minimum 2m width, unless agreed otherwise in writing.

Reason: In the interest of safety and convenience of highways users and to comply with Policy SP20 of The Ryedale Plan – Local Plan Strategy

03. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site, unless the following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

(1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:

- (a) the proposed highway layout including the highway boundary
- (b) dimensions of any carriageway, cycleway, footway, and verges
- (c) visibility splays
- (d) the proposed buildings and site layout, including levels
- (e) accesses and driveways
- (f) drainage and sewerage system
- (g) lining and signing
- (h) traffic calming measures
- (i) all types of surfacing (including tactiles), kerbing and edging.

(2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:

- (a) the existing ground level
- (b) the proposed road channel and centre line levels
- (c) full details of surface water drainage proposals.

(3) Full highway construction details including:

- (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
- (b) when requested cross-sections at regular intervals along the proposed road showing the existing and proposed ground levels

- (c) kerb and edging construction details
- (d) typical drainage construction details.

(4) Details of the method and means of surface water disposal.

(5) Details of all proposed street lighting.

(6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

(7) Full working drawings for any structures which affect or form part of the highway network.

(8) A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

Reason:- In accordance with Policy SP20; and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.

04. No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The completion of all road works, including any phasing, shall be in accordance with a programme approved in writing with the Local Planning Authority in consultation with the Highway Authority before the first dwelling of the development is occupied.

Reason:- In accordance with Policy SP20; and to ensure safe and appropriate access and egress to the dwellings, in the interests of highway safety and the convenience of prospective residents.

05. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme of their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason:- In accordance with Policy SP20; and in the interests of highway safety.

06. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splay areas are provided giving clear visibility of 58m; measured along both channel lines of the major road Whitby Road; from a point measured 2.4m; down the centre line of the access road. The eye height will be between 1.05m-2.0m; and the object height shall be between 0.6m-2.0m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20; and in the interests of road safety.

07. Unless otherwise approved in writing by the Local Planning

Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:

(i) The details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

a. Provision of a pedestrian island with a minimum width of 1.8m on the A169 between the proposed site access and the junction with Whitby Road. Carriageway running lanes to be a minimum of 3.5m either side of the island.

b. Provision of a footpath on the A169 connecting the site to the southbound bus stop.

(ii) An independent Stage 2 Safety Audit has been carried out in accordance with HD19/15 - Road Safety Audit or any superseding regulations.

(iii) A programme for the completion of the proposed works has been submitted.

Reason:- In accordance with Policy SP20; and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.

08. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition 7:

a. Provision of a pedestrian island with a minimum width of 1.8m on the A169 between the proposed site access and the junction with Whitby Road. Carriageway running lanes to be a minimum of 3.5m either side of the island.

b. Provision of a footpath on the A169 connecting the site to the southbound bus stop.

Reason:- In accordance with Policy SP20; and in the interests of the safety and convenience of highway users.

09. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing ^IN;. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20; and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

10. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in

full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20; and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

11. Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:
- (i) the appointment of a travel co-ordinator
 - (ii) a partnership approach to influence travel behaviour
 - (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
 - (iv) provision of up-to-date details of public transport services
 - (v) continual appraisal of travel patterns and measures provided through the travel plan
 - (vi) improved safety for vulnerable road users
 - (vii) a reduction in all vehicle trips and mileage
 - (viii) a programme for the implementation of such measures and any proposed physical works
 - (ix) procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reason:- In accordance with Policy SP20; and to establish measures to encourage more sustainable non-car modes of transport.

12. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In accordance with policy SP20 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

13. No development shall take place until a Construction Environmental Management Plan with regard to groundwater protection, based upon the submitted and approved Geo-environmental Investigation Report (Lithos, May 2016) has been submitted to and approved in writing by the Local Planning Authority. Furthermore, construction shall not commence in the relevant area (s) of the site until mitigation

measures have been implemented in full accordance with the approved Construction Environmental Management Plan.

Reason: In order to protect groundwater and the public water supply; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

14. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

15. No discharge from the development of either surface or foul water shall take place to soakaways or other ground infiltration methods of drainage and no development shall take place until details of the proposed means of disposal of foul water drainage have been submitted to and approved by the Local Planning Authority. All foul sewers shall be constructed with an impermeable liner (for example cured in place plastic) in order to provide a double lined system. Furthermore, occupation of any part of the development shall not commence until the approved foul drainage works have been fully constructed in accordance with the approved plans and there shall be no temporary storage of foul sewage.

Reason: To protect the public water supply and ensure that the development can be properly drained; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

16. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority. Discharge of surface water to public sewer shall be restricted to a maximum rate of 5 litres per second. Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

17. Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interest of amenity and flood risk; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

18. Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 5l/s litres per second for up to the 1 in 100 year event. A 30% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The

approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional floor impact from the development proposals and ensure that flood risk is not increased elsewhere; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

19. The development shall not commence until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

20. The development shall not commence until details of finished floor levels of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details should include levels of all properties adjoining the application site. Finished Floor Levels should be set above the 1 in 100 year plus climate change floor level with an additional 300mm freeboard above the flood level. The development shall be carried out in accordance with the approved scheme satisfying this condition.

Reason: In the interest of amenity of the occupiers of the adjoining properties and flood risk mitigation; and to satisfy Policy SP17 of the Ryedale Plan – Local Plan Strategy.

21. Before any part of the development hereby approved commences, plans showing details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained. All planting seeding and/or turfing comprised in the above scheme shall be carried out during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved; and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

22. The detailed drawings to be submitted for the written approval of the Local Planning Authority shall include a plan and schedule of all trees and shrubs on the site. Such plans shall show the accurate position, crown spread, approximate height, and trunk diameter measured at 1.5 metres from ground level, of each tree to be retained or removed, together with a brief description of the condition of each tree. Trees to be retained shall be protected prior to the commencement of the development by the following measures:

(i) a chestnut pale fence or similar fence, not less than 1.2 metres high, shall be erected, in accordance with recommendations in BS 5837: 2005 hereafter referred to as the "PROTECTED

ZONE", not less than a minimum distance equal to 12 x the diameter of the trunk of any tree shown on plan No.; to be retained;

(ii) no development, including the erection of site huts and parking of vehicles, or any other buildings in connection with the development, shall be sited within the PROTECTED ZONE referred to above;

(iii) no materials, including fuel or spoil, shall be stored within the PROTECTED ZONE referred to above;

(iv) prior to the commencement of the development, and in appropriate cases where the retention of trees is not prejudiced, locations for the burning of materials in connection with the development on site, shall be agreed in writing with the Local Planning Authority.

(v) no services in connection with the development shall be routed within the PROTECTED ZONE referred to above.

Reason : to ensure that both the underground and upper parts of the trees to be retained on the site do not suffer damage that might prejudice their long term retention, resulting in a loss in visual amenity; and to satisfy Policies SP13, SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

23. The approved planting scheme shall maximise ecological/biodiversity enhancements as specified in the Ecological Appraisal dated June 2016.

Reason: To satisfy Policy SP14 of the Ryedale Plan – Local Plan Strategy

24. Before the development hereby permitted is commenced, details and samples of the materials to be used on the exterior of the proposed building(s) shall be submitted to and approved in writing by the Local Planning Authority. No variation of the approved materials shall be undertaken without the express consent in writing of the Local Planning Authority.

Reason: To ensure a satisfactory external appearance; and to satisfy Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

25. Before the development hereby permitted is commenced the developer shall construct on site for the written approval of the Local Planning Authority a one metre square free standing panel of brickwork of the type of brick to be used in the construction of the building. The brickwork panel so constructed shall be retained only until the development has been completed.

Reason: To ensure a satisfactory external appearance; and to satisfy Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

26. Prior to the commencement of any works full written details of how issues of crime prevention through environmental design raised by the Police Designing out Crime Officer are to be addressed, shall be submitted to and approved in writing by the Local Planning Authority in consultation with North Yorkshire Police. The details should provide rationale and mitigation in relation to any suggestions made in this report that are not to be incorporated.

Reason: To satisfy Paragraph 58 and 69 of the National Planning Policy Framework and to enable the Authority to discharge its functions in accordance with Section 17 of the Crime & Disorder Act 1998.

27. Details of Public Open Space play equipment shall be submitted to and approved in writing by the Local Planning Authority.

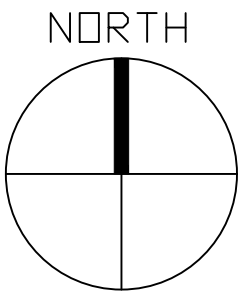
Reason: To satisfy Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

28. Before any of the dwellings hereby approved is occupied, it shall be provided with an electrical vehicle charging point.

Reason: To satisfy Policies SP16 and SP20 of the Ryedale Plan – Local Plan Strategy.

29. The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Reason: For the avoidance of doubt and in the interests of proper planning.



- Key**
Refer to SD-04B for details of enclosure types
- Type 3 - 1800mm high open boarded timber fence
 - Type 6 - 900mm high post & rail fence
 - Type 2 - Denotes 1800mm high screen wall & fence
 - Denotes affordable homes
- For tree details please refer to arboricultural survey

- Extents of vegetation to be removed
- Area of hedge to be trimmed

C	31/05/18	Updated in accordance with highways comments.
B	28/03/18	AVC Updated in accordance with LPA layout comments.
A	15/01/18	AVC Redline boundary updated. AVC

Revisions

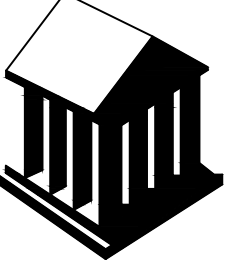
Development

**Firthland Road,
Pickering Phase 2**

Drawing Title

Proposed Site Layout

PLANNING



Persimmon Homes Yorkshire
Persimmon House
Fulford
York
YO19 4FE
Tel : 01904 642199
Fax : 01904 656142
www.persimmonhomes.com

Scale:	1: 500 @ A0	Drawn:	JJS	Date:	Dec 17
File:	S:\survey\03 SITES UNDER APPRAISAL\Pickering, Firthland Road Phase 2\A01 Architect				
Drawing No.	101_Pick2_Proposed Site Layout	Rev	C		