



Please Contact: Ellis
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Extension: 271

11th December 2017

PLANNING COMMITTEE

Tuesday 19 December 2017 after Licensing Committee
Council Chamber, Ryedale House, Malton

Agenda

- 1 **Apologies for absence**
- 2 **Declarations of interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.
- 3 **Minutes** (Pages 3 - 6)
- 4 **Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.
- 5 **Brownfield Land Register (Part 1)** (Pages 7 - 12)
- 6 **Schedule of items to be determined by the Committee** (Pages 13 - 14)
- 7 **17/00636/MFUL - Malton Road Garage Amotherby** (Pages 15 - 61)
- 8 **17/00645/MOUT - Land East Of Manor Farm Amotherby** (Pages 62 - 112)

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| 9 | 17/01231/MFUL - The Snooty Fox Scarborough Road East Heslerton
(Pages 113 - 131) | |
| 10 | 17/00773/FUL - East House School Lane Nawton | (Pages 132 - 151) |
| 11 | 17/01155/LBC - 16 Undercliffe Pickering | (Pages 152 - 159) |
| 12 | 17/01314/FUL - Burgate House Hotel 17 Burgate Pickering | (Pages 160 - 167) |
| 13 | Any other business | |
| 14 | List of applications determined under delegated powers | (Pages 168 - 174) |
| 15 | Update on appeal decisions | (Pages 175 - 183) |

The Head of Planning submitted a list (previously circulated) of the applications for planning permission with recommendations thereon.

99 **17/01064/MREM - Land At Rear Of 56 Low Moorgate Rillington**

17/01064/MREM - Erection of 9no. four bedroom detached dwellings, 4no. three bedroom semi-detached dwellings, 2no. two bedroom semi-detached dwellings and a terrace of 3no. one bedroom dwellings with associated garaging and parking/amenity areas (outline approval 16/00354/MOUT dated 08.11.2016 refers).

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

[For 9

Against 0

Abstain 1]

In accordance with the Members Code of Conduct Councillor Maud declared a personal, non-pecuniary but not prejudicial interest.

100 **17/00101/FUL - 6 Market Place Kirkbymoorside YO62 6DB**

17/00101/FUL - Change of use and alterations to existing two-bedroom apartment, attached outbuilding and rear section of retail units to form a total of 3no. one-bedroom apartments, 2no. two-bedroom apartments and 1no. ground floor retail unit following demolition of existing extension to north-west elevation

Decision

PERMISSION GRANTED – Subject to conditions as recommended.

[For 7

Against 0

Abstain 3]

101 **17/00980/73 - Land To Rear Of The Forge North Back Lane Terrington**

17/00980/73 - Variation of Condition 12 (Local Needs Occupancy) of approval 16/01227/OUT dated 15.03.2017 to add: If after a period of 12 weeks a qualifying household is not forthcoming then the area can be widened to the Ryedale District area. Following a further 12 week period the area is widened to the County of North Yorkshire. The obligations contained in this condition shall not be binding or enforceable against any mortgagee or any receiver appointed by such a mortgagee, or any person deriving title through such a mortgagee or receiver provided always that a successor in title of such a person shall be bound by the obligations contained in this condition.

Decision		
DEFERRED		
[For 10	Against 0	Abstain 0]

In accordance with the Members Code of Conduct Councillor Hope declared a personal interest.

102 **17/00990/HOUSE - Manor House Farm Main Street East Lutton**

17/00990/HOUSE - Erection of tree house in rear garden.

Decision		
PERMISSION GRANTED – Subject to conditions as recommended.		
[For 10	Against 0	Abstain 0]

In accordance with the Members Code of Conduct Councillor Jainu-Deen declared a personal, non-pecuniary but not prejudicial interest.

103 **List of Applications determined under delegated Powers**

The Head of Planning submitted for information a list (previously circulated) which gave details of the applications determined by the Head of Planning in accordance with the scheme of delegated decisions.

104 **Appeals**

Members were advised of the following appeal decisions:

APP/Y2736/Y/17/3167380 – Westow Grange, Gally Gap, Westow

APP/Y2736/W/17/3177527 – Land North of Cemetery, Whitby Road, Pickering

105 **Any Other Business**

Councillor Burr queried the Scheme of Delegation in relation to minor applications being brought before the Planning Committee. The Head of Planning will look into possible amendments to the Scheme.

Councillor Goodrick asked if there were any proposals to look at the development limits of none-service villages. This would be covered in a future review if Members took the decision that a future development strategy should support more housing in these locations.

Meeting closed at 19:35



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	PLANNING COMMITTEE
DATE:	19 DECEMBER 2017
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	BROWNFIELD LAND REGISTER
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For Members to agree Ryedale's Brownfield Land Register for publication.

2.0 RECOMMENDATION

- 2.1 It is recommended that Members:

- (i) Approve the publication of the Council's brownfield land register to include the sites listed in Appendix 1 of this report.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Council is required to prepare, publish and maintain a register of previously developed (or brownfield) land which is suitable for residential development and meets the criteria set out in relevant legislation (see below). The deadline for publication is 31 December 2017.

4.0 SIGNIFICANT RISKS

- 4.1 The risks associated with inclusion of sites within the Register as proposed are considered to be negligible.
- 4.2 Failure to publish the Register by the 31st December 2017 would mean that the Council was not complying with legislation and leave the Council open to criticism.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 This report impacts upon the Council's priority of "Sustainable Growth" and in particular "Enabling the provision of housing that meets existing and anticipates future need".

- 5.2 Consultation is not required in order to identify those sites for inclusion in the register as it is proposed. However, it should be noted that in considering sites for inclusion on the register, the sources of information used have themselves been the subject of consultation. These include the Strategic Housing Land Availability Assessment and sites put forward for consideration in the Local Plan process.

6.0 REPORT

Legislative requirement

- 6.1 The requirement for Local Planning Authorities to prepare and maintain a register of previously developed land suitable for residential development is set out under Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017 (the Regulations), which came into force on 16th April 2017.
- 6.2 The purpose of the Register is to provide up-to-date and consistent information on sites that Local Planning Authorities consider to be appropriate for residential development having regard to the criteria set out in the regulations.
- 6.2 For the purposes of the Register, brownfield or previously developed land has the same definition as that set out in the in Annex 2 of the National Planning Policy Framework and is as follows:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”

- 6.3 The Register is in two parts:
- Part 1 - includes all sites which meet the set criteria (see below);
 - Part 2 - is a subset of Part 1 and comprises **only** those sites that the Local Planning Authority has decided would be suitable for grant of ‘permission in principle’ for residential development. This is a new form of planning permission to specifically facilitate the redevelopment of brownfield sites.
- 6.4 The Council will be discharging its legal obligations in respect of the Regulations by publishing a Register, containing entries only in Part 1, by the deadline of 31st December 2017 and maintaining it thereafter. It is left to the discretion of Local Planning Authorities which sites (if any) they propose to include on Part 2 of the Register – although a consistent and transparent approach is required as this is subject to specific publicity and notification requirements as set out in the Regulations.

Criteria for assessing whether to include a site on the Register

- 6.5 The Council *must* enter land in Part 1 of the Register if it meets the following criteria:
- area of at least 0.25ha or is capable of supporting at least 5 dwellings [the Council may also choose to enter smaller sites, which do not meet the first of the above criteria, into Part 1 of the Register but is not obliged to do so].

- is suitable for residential development;
 - is available for residential development;
 - residential development of the land is achievable.
- 6.6 'Suitable for residential development': means sites which have existing residential planning permissions or which form part of residential allocations within the Council's Local Plans Sites Document, or where, in the opinion of the Council, they are appropriate for development having regard to: any adverse impact on the natural environment and local built environment, including heritage assets; and adverse impact on local amenity which such development might cause (for occupiers of the development or of neighbouring properties); and any representations received.
- 6.7 'Available for residential development': means where there is known landowner or developer interest in such development or, in the opinion of the Council, there are no issues relating to ownership of the land or other legal impediments that might prevent residential development taking place.
- 6.8 'Residential development of the land is achievable': means that in the opinion of the Council, the development is likely to take place within 15 years of the entry date onto the register.
- 6.9 In addition to the above criteria the Council is required (under section 14A of the Planning and compulsory Purchase Act 2004) to have regard to the development plan (in this case the Ryedale Plan), national policies and advice, and any guidance issued by the Secretary of State when considering the inclusion of sites within the register.
- 6.10 As noted above, the Council *may* also elect (having publicised its intention to do so and given notice in accordance with the Regulations) to include certain sites within Part 2 of the Register. This will have the effect of granting such sites 'Permission in Principle' for residential development. [Specific exemptions and processes apply to sites where there are significant environmental or ecological considerations, e.g. where residential development would require an Environmental Impact Assessment]

Ryedale Brownfield Land Register

- 6.11 The list of sites proposed for inclusion on the register is included at Appendix 1 to this report. Officers have identified potential sites by reviewing existing information from the most recent Strategic Housing Land Availability Assessment (SHLAA), extant planning permissions, as well as any representations from site owners / promoters.
- 6.12 Members are aware that Ryedale has a relatively small amount of brownfield land – particularly when agricultural land/building and residential garden land is not included in the definition. The limited list of sites included in Part 1 also reflects the fact that many of the brownfield sites that exist in Ryedale do not meet the suitability; availability and achievability criteria set out in the regulations. Ryedale has a strong housing market and brownfield sites which meet these criteria tend to get developed. Longstanding, persistent brownfield sites, such as the Woolgrowers site are not developable for a range of reasons and, despite being brownfield land cannot be included on the register if their redevelopment is not considered to be achievable. Clearly, if the Council becomes aware of any change in the circumstances relating to the achievability/deliverability of any brownfield site then the Register can be revised at any time to include further sites. Members should also be aware that sites which are at risk of flooding are not considered to be suitable for residential development (unless they have the benefit of planning permission) and such sites are not proposed for

inclusion on the register.

- 6.13 Officers have considered the inclusion of the upper deck of Wentworth Street Car Park in the register. It is considered that once the Council's current asset review is completed and following the completion of a car parking strategy for Malton and Norton, the availability and achievability of the site will be clearer and the site can be included in the register at a future point in time.
- 6.14 The Council has been asked by a landowner to include a significant proportion of land at Wombleton Airfield on the register. In considering whether this site should be included on the Register, there are two key considerations: firstly, whether it is 'suitable' and, secondly, whether the site meets the definition of 'previously developed land'?
- 6.15 In assessing whether the site is 'suitable', Policy "SP1 General Location of Development and Settlement Hierarchy" of the Local Plan Strategy has been applied. This states that future development requirements will be distributed on the basis of:
- i) Principal Town (Malton / Norton) – primary focus for growth
 - ii) Local Service Centres (Market Towns) – secondary focus for growth
 - iii) Local Services Centres (Service Villages) – tertiary focus for growth.
- 6.16 Wombleton Airfield, being outside of the development limits for Wombleton village, is classed as being within the 'open countryside' and is not considered 'suitable' for residential development when considered against the policies set out in the adopted development plan. The development of the site for residential purposes would not be considered to be sustainable development in Ryedale.
- 6.17 Furthermore, in assessing whether the site constitutes 'previously developed land', it is clear that the site has previously held permanent structures and fixed surface infrastructure. However, some of these have either been demolished or 'blended into the landscape in the process of time'. At least one small building (believed to be the airfield's physical training office for the parade ground) does still remain. However, given its small scale in relation to the surrounding land, it does not seem reasonable to class the whole curtilage of the land at the airfield as previously developed land.
- 6.18 For these reasons it is proposed not to include land at Wombleton Airfield in the Register.
- 6.19 Members will note that some of the sites listed in Appendix 1 already have planning permission for residential development. It should be noted that sites with permission can be included on the register. It is considered that the sites proposed in the register individually and in combination are unlikely to have a significant effect upon the environment and as such, it is considered that a Strategic Environmental Assessment is not required.
- 6.20 At this stage it is not proposed to include any sites within Part 2 of the register. The use of 'Permission in Principle' is very new and Officers are keen to explore how this is working elsewhere before recommending sites for Part 2 of the register. Officers will, however, bring a separate report to members next year considering this in further detail and if appropriate, recommending sites for inclusion in Part 2 of the register.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial

None.

- b) Legal
The Council has a legal obligation to publish and maintain a Brownfield Land Register. Failure to do so may have reputational consequences and potentially leave the Council open to challenge by land owners / developers.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
There are no implications of entering sites onto Part 1 of the Register. By entering sites onto Part 2 of the Register, the Council would be granting 'Permission in Principle' for residential development – effectively in perpetuity (unless revoked under Section 97 of the Town and Country Planning Act 1990).

8.0 NEXT STEPS

- 8.1 Officers will compile the register in the data format prescribed by the government and ensure its publication by the 31st December 2017.

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Head of Planning

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Background Papers are available for inspection at:

- Requirement to prepare Brownfield Land Register:
<http://www.legislation.gov.uk/ukxi/2017/403/regulation/3/made>
- Guidance on brownfield land registers: <https://www.gov.uk/guidance/brownfield-land-registers>
- Brownfield registers & permission in principle: frequently asked questions:
<https://www.gov.uk/government/publications/brownfield-registers-and-permission-in-principle/brownfield-registers-and-permission-in-principle-frequently-asked-questions>

ANNEX A – PROPOSED RYEDALE BROWNFIELD LAND REGISTER

Site Name	Area (ha)
Old Brickworks (southern part), North of Swineherd Lane, Kirkbymoorside	0.38
Ryedale House, Old Malton Road, Malton	1.40
Land South of Outgang Road, North of Crossgates Lane, Pickering	0.48
ATS (Car Workshop), north of Commercial Street, Norton	0.74
Russells (western part), New Road, Kirkbymoorside	0.64
Former Highways depot, Westgate, Old Malton	0.45

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 19/12/17

7

Application No: 17/00636/MFUL

Application Site: Malton Road Garage Amotherby Malton North Yorkshire YO17 6TG

Proposal: Erection of 12 no. three bedroom dwellings and 3 no. two bedroom dwellings with parking and amenity areas on land occupied by former petrol station

8

Application No: 17/00645/MOUT

Application Site: Land East Of Manor Farm Amotherby Malton North Yorkshire

Proposal: Residential development of 20no. semi detached dwellings and formation of vehicular access (site area 0.79ha) - approval sought for access and landscaping

9

Application No: 17/01231/MFUL

Application Site: The Snooty Fox Scarborough Road East Heslerton Malton YO17 8EN

Proposal: Use of land to allow permanent siting of 55no. touring caravans (retrospective application).

10

Application No: 17/00773/FUL

Application Site: East House School Lane Nawton Helmsley North Yorkshire YO62 7SF

Proposal: Erection of rear two storey and single storey extension to the existing dwelling following demolition of existing single storey lean to extension, change of use of existing annex to holiday cottage, erection of rear first floor extension to proposed attached holiday cottage, erection of detached double garage/store and formation of a shared vehicular access, driveway and parking/turning area

APPLICATIONS TO BE DETERMINED BY RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE - 19/12/17

11

Application No: 17/01155/LBC

Application Site: 16 Undercliffe Pickering North Yorkshire YO18 7BB

Proposal: External and internal alterations to include replacement of 1no. rear timber windows with which are to be retained timber double glazed window, secondary glazing to the front and rear windows, installation of conservation rooflight to the rear roof slope, installation of boiler flue and extractor vent to rear wall and internal layout alterations.

12

Application No: 17/01314/FUL

Application Site: Burgate House Hotel 17 Burgate Pickering YO18 7AU

Proposal: Extension to existing car park providing an additional 3no. car parking spaces and creating a wider vehicular access to the site to include removal of part of brick dividing wall

RYEDALE DISTRICT COUNCIL PLANNING COMMITTEE

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

PLANS WILL BE AVAILABLE FOR INSPECTION 30 MINUTES BEFORE THE MEETING

Item Number: 7
Application No: 17/00636/MFUL
Parish: Amotherby Parish Council
Appn. Type: Full Application Major
Applicant: Mandale Homes North Ltd
Proposal: Erection of 12 no. three bedroom dwellings and 3 no. two bedroom dwellings with parking and amenity areas on land occupied by former petrol station
Location: Malton Road Garage Amotherby Malton North Yorkshire YO17 6TG
Registration Date: 26 June 2017
8/13 Wk Expiry Date: 25 September 2017
Overall Expiry Date: 18 October 2017
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Yorkshire Water Land Use Planning	Recommendations
Environmental Health Officer	Object
Sustainable Places Team (Yorkshire Area)	Recommendations
Highways North Yorkshire	Recommend conditions
Parish Council	Objection
Lead Local Flood Authority	Views awaited
Countryside Officer	Objection
Housing Services	Recommend Conditions

Neighbour responses: Ms Rachel Thackrah, Mr Michael Brown, Miss Sara bath, Miss Elisabeth Arridge, Walton & CO, Mr John Campbell Ricketts, Mr Gyles Parkin, Miss Natasha Pearse, Miss Elisabeth Arridge, Mr David Brown,

SITE:

The application site comprises a former garage and associated buildings. It is located on Malton Road Amotherby, a classified Road (B1257). Opposite the site are established dwellings, with detached dwellings along Malton Road to the west of the site frontage. Along the eastern boundary is the access road for Malton Foods, which also extends across the rear boundary of the site. The Malton Foods site is a designated Employment Site. The application site is also located within the development limits of Amotherby. The rear side of the site includes a very steep slope estimated to be between 4-5m in height with a fence on the higher side. There are unused buildings along the frontage of the site and to the rear. The application site is located within the development limits of Amotherby, the frontage of the site measures 30m in width and the rear part is 66m at its widest, the site is 66m in depth at its greatest.

PROPOSAL:

Planning permission is sought for the erection of 15 dwellings comprising:

- 2 no terraces of 3no. dwellings (one Type A and one Type C);
- 4 pairs of semi-detached dwellings (2 Type A and 2 Type B); and
- 1 detached dwellings (Type B).

The Type A properties approximately measure 8.3m in depth by 5.9m in width and 4.9m to the eaves height and 8.1m to the ridge height.

The Type B properties approximately measure 9.6m in depth and 5.5m in width and 4.8m to the eaves height and 8.5m to the ridge height.

The Type C properties approximately measure 4.75m in width by 8.3m in depth and 5m to the eaves and 7.9m to the ridge height.

It is proposed to construct the dwellings of facing brick under a clay pantile roof with UPVC windows.

The layout plan shows the demolition of the existing workshop buildings on site and the erection of a terrace of 3 dwellings on the site frontage with an access road to the west. A pair of semi-detached dwellings are proposed to be located adjacent to the eastern boundary with 3 pairs of semi-detached properties against the rear (southern) boundary and a terrace of 3 dwellings and a detached property against the western boundary. The access road into the site is to be built to an adoptable standard and includes a turning head and 6 no. visitor parking spaces. All the proposed dwellings have 2 no parking spaces each to their front elevations, including the 3no terraced properties that front directly onto the B1257. The private parking and turning areas for the dwellings are proposed to be constructed from permeable block paving. The proposal includes a substantial amount of excavation into the earth bank on the southern side and the insertion of a brick retaining wall up to 4m in height, along the southern boundary. Finally the proposal includes the removal of the majority of all the trees and landscaping on the site.

The following documents have been submitted with the application and are available to view online:

- Planning Statement
- Design and Access Statement
- Tree Survey and Arboriculture Impact Assessment
- Phase 1 Ground condition report* Ecological Survey
- Noise Assessment

HISTORY:

2003: Outline planning application for residential development refused 2006 – Dismissed on appeal 2007.

1993: Advertisement Consent granted for signage for the garage.

1989: Planning permission granted for the erection of an extension to a garage.

POLICY:

National Policy

National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance (NPPG) 2014

Local Plan Strategy

Policy SP1 – General Location of Development and Settlement Hierarchy

Policy SP2 – Delivery and Distribution of New Housing

Policy SP3 – Affordable Housing

Policy SP4 – Type and Mix of New Housing

Policy SP6 – Delivery and Distribution of Employment Land and Premises

Policy SP11 – Community Facilities and Services

Policy SP13 – Landscapes

Policy SP14 – Biodiversity

Policy SP15 – Green Infrastructure Networks

Policy SP16 – Design

Policy SP17 – Managing Air Quality, Land and Water Resources

Policy SP19 – Presumption in favour of sustainable development

Policy SP20 – Generic Development Management Issues

Policy SP22 – Planning Obligations Developer Contributions and Community Infrastructure Levy

Ryedale Local Plan 2002

Policy EMP7 – Allocations for the expansion of existing major employers

APPRAISAL:

The main considerations in relation to this application are:

1. The principle of the proposed development;
2. The siting, scale, design and materials of the proposed development and its impact upon the character and appearance of the area;
3. Whether the proposed development can have a satisfactory level of residential amenity;
4. The impact of the proposal upon the operations at Malton Foods;
5. The impact of the scheme upon the amenity of the adjoining occupiers;
6. Highway safety;
7. Contamination;
8. The impact of the scheme upon trees;
9. Ecology;
10. Affordable Housing;
11. Developer contributions; and,
12. Drainage

This application is a ‘major application’ and is required to be determined by Planning Committee.

The principle of the proposed development

The site contains 2no. redundant garage workshops. There is no objection to the demolition of these workshops. The site is regarded as a Brownfield site, it is in a poor condition and an appropriate development of the site could be beneficial to the visual amenity of the area. Whilst the site is located within the development limits of Amotherby (a designated ‘Service Village’ within the Local Plan Strategy) the development of this site for residential development has previously been refused planning permission and dismissed on appeal. This was because of the noise implications from the adjoining factory site and the sub-standard level of residential amenity. The dismissed scheme was an Outline Application, a layout plan was submitted that featured 4 dwellings along the frontage with a ‘U’ shaped building behind, to try and mitigate the factory noise. In dismissing the Appeal the Inspector acknowledged the benefits associated with developing this previously developed site and extinguishing the current use. He also noted:

‘.I find the proximity of the food processing operations would be very likely to render the site unsuitable for residential development.’

Against this background, the principle of residential development on this site is highly questionable.

The siting, scale, design and materials of the proposed development and its impact upon the character and appearance of the area

Policy SP16 of the Local Plan Strategy states:

'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:

- Reinforce local distinctiveness*
- Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- Protect amenity and promote well-being*

To reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:

- Topography and landform that shape the form and structure of settlements in the landscape*
- The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks. The medieval street patterns and historic cores of Malton, Pickering, Kirkbymoorside and Helmsley are of particular significance and medieval two row villages with back lanes are typical in Ryedale*
- The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings*
- The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further*

VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement

- Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures*
- The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail*

The design of new development will also be expected to:

- Incorporate appropriate hard and soft landscaping features to enhance the setting of the development and/or space*
- Contribute to a safe and well connected public realm by respecting and incorporating routes, buildings and views which create local identity and assist orientation and wayfinding; creating public spaces which are safe and easy to use and move through by all members of the community; facilitating access by sustainable modes of travel including public transport, cycling and walking*
- Reduce crime and the fear of crime through the careful design of buildings and spaces*
- Provide, where appropriate, active and interesting public frontages, clearly defined public spaces and secure private spaces'*

· Make efficient use of land and to be built at a density which is appropriate to its surrounding context. In general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of the surrounding context'

The proposed scheme features a terrace of 3 dwellings along the frontage with a new access adjacent to Bentley House to the west of the terrace of dwellings. A pair of semi-detached properties are proposed against the eastern boundary, with 3 pairs of semi-detached properties against the rear (southern) boundary, and a terrace of 3 properties and one detached property to the western side. In order to accommodate the quantum of development proposed the 4-5m high bank at the rear of the site is proposed to be excavated to the boundary and a series of retaining walls are proposed along the southern boundary up to 4m in height. At the top of the retaining wall is an existing fence approximately 1.5m high. The majority of the existing planting on this part of the site will be removed affording clear views of the factory site at this elevated level.

The individual design of the proposed dwellings nearby can be regarded as suburban in their form, however the surrounding locality is far from suburban being the edge of rural village with an establish low- medium density character. The surrounding area comprises mainly detached dwellings on the southern side of the B1257, with a crescent of post war semi-detached properties opposite the site. However, the site is considered to be more closely designed with the properties immediately adjoining the site. The scheme proposed is considered to provide a cramped layout, at odds with the character and form of the immediate properties, comprising mainly detached dwellings set within relatively large plots. Moreover, this particular area helps frame the setting of the Howardian Hills Area of Outstanding Natural Beauty. The size of the plots and garden areas is also considered to be out of character with the immediate properties in the locality.

The proposed frontage parking arrangements for each dwelling is considered to provide a very car dominated environment, again at odds with this rural character. It is, essentially, an urban form of development maximising the development space, and not respecting the rural form and character.

The loss of the on-site landscaping will also open views of the factory at the rear of the site and detract from the visual amenity of the area. For these reasons the design, scale, density, layout and loss of planting is considered to be contrary to the requirements of Policies SP16 and SP20 of the Local Plan Strategy.

Whether the proposed development can have a satisfactory level of residential amenity;

There are three main concerns in respect of this criteria;

- Noise and disturbance from the Malton Foods site;
- Traffic noise from the B1257;
- The steep sided rear bank and close proximity of the proposed dwellings

Within the Malton foods site it is noted that there are four shipping containers understood to contain air conditioning units and plant immediate to the south of the site, along with buildings containing refrigerated stores. It was clear from the site inspection that fork lift trucks work in this area to take and remove products from the refrigerated stores. Along the eastern boundary there are redundant office buildings, with the access to the factory side also to the eastern side.

Policy SP20 of the Local Plan Strategy states:

'New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.'

Developers will be expected to apply the highest standards outlined in the World Health Organisation, British Standards and wider international and national standards relating to noise.

New development proposals which will result in an unacceptable risk to human life, health and safety or unacceptable risk to property will be resisted. Developers will be expected to address the risks/potential risks posed by contamination and/or unstable land in accordance with recognised national and international standards and guidance.

All sensitive receptors will be protected from land and other contamination. Developers will be expected to assess.'

The agent has submitted a Noise Assessment to try and demonstrate that the proposed dwellings have a satisfactory level of residential amenity. In addition, representatives of Malton Foods have also submitted their own Noise Assessment which disputes much of the information contained within the Noise Assessment submitted by the agent. The Noise Assessment and additional information submitted in this respect has been shared with all parties and the Council's Environmental Health Specialists.

Ultimately, the Local Planning Authority and Environmental Health Specialists are seeking to ensure that the appropriate noise standards applied to all residential development are met. These standards have recently been tested on appeal elsewhere in the district and have been upheld. They reflect the highest standards of the WHO Guidance and require outdoor private amenity areas to not have noise levels above 50dB; habitable rooms to not exceed 35dB during the day and bedrooms between 11pm-7am to be able to not exceed 30dB with windows at least partially opened.

The Council's Environmental Health Specialists have considered all the information submitted and concluded:

'Further to the response from BWB consulting following my comments to the above planning application. For the avoidance of doubt I should like to make the following observations.

Policy SP20 of Ryedale's LPS which was adopted in September 2013 states that new development will not have a material adverse impact on the amenity of present or future occupants. Impacts on amenity include noise. It goes on to state that developers will be expected to apply the highest standards outlined in the WHO, British standards and wider internal and national standards relating to noise. Ryedale District Council has consistently taken the approach that permissible noise levels are to be achieved with partially open windows. This position is supported by Appeal Decision 3158779. The Noise Assessment submitted as part of this application predicts internal noise levels which do not meet Ryedale's criteria and as such are considered unreasonable. Acoustic ventilators would not resolve this concern.

Taking all matters into account I find that the proximity of the food processing operations and the B1257 road would be very likely to render the site unsuitable for residential development. The noise likely to be emitted would almost certainly be sufficient to engender noise nuisance complaints from prospective occupants.'

It should be noted that this scheme proposes dwellings along the southern boundary between 1m and 9m from the top of the raised bank. These are conventional two-storey dwellings with bedroom windows backing onto the factory site. The previous dismissed scheme featured 4 no. detached properties along the frontage and a 'U' shaped building behind. That 'U' shaped building was designed to act as an acoustic screen and was to have triple glazed windows. It was also between 19m and 16m from the southern boundary position, a much greater separation than in this case. The Inspector noted in regard to that scheme:

'The suggestion that 'U' shaped block positioned toward the southern boundary might serve as a noise barrier seems to me to be inappropriate. First, I have some doubts about its potential effectiveness

because the Westler site lies some 4-5m above the appeal site and because low frequency emissions cause added difficulties. Second, I think that in order to achieve the degree of noise reduction required, the block would have to present almost a blank façade toward the factory or include mechanically ventilated rooms with non-openable windows on its southern elevation. Such a structure and such living conditions would not accord with what might reasonably be expected in a rural location such as this. Third, the actual position of the mooted 'block' and its 'U' shaped configuration would be an incongruous addition to the ribbon development here and quite alien to the rural character of the village.'

In summary, it is considered that the proposed development cannot achieve the noise standard advocated either internally in a satisfactory manner or in all external areas consistent with the requirements of Policy SP20, and decisions taken on appeal.

Officers also have significant concerns at the close proximity of the proposed development to the rear boundary and the steep excavated outer sides. It is considered that this will be an oppressive feature and would promote a poor outlook for those residents directly adjoining the steep sides. Furthermore, it is unclear if this feature can be undertaken. If this application were to be supported, additional work would be required regarding the stability of the land and the suitability of the proposed retaining walls.

The proposed retaining wall and the very close associated activity and movements from the factory, together with the operation of the air conditioning and plant operations directly adjoining the site, are not considered to ensure a satisfactory level of residential amenity for occupiers of the proposed dwellings.

The impact of the proposal upon the operations at Malton Foods

When considering development proposals, Para. 7 of NPPF advises Local Planning Authorities:

'7. 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:

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;

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

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.'

Para's 18 and 19 sets out in more detail Government's commitment to protecting economic development activity:

'18. 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.

19. 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.'

The economic role of existing businesses and their allocations play a crucial role in delivering sustainable development. This can be applied to the current situation with Malton Foods, a large employer with 180 employees, located immediately to the southern side of the application site. The business is concerned with food processing. The above section details the objection from Malton Foods and the ability of the two uses to coexist. The letter of objection submitted by their representative includes the following information:

'This application is more densely developed and the residential units are shown to be even closer to the factory boundary. It cannot be logical that such a proposal can be granted having regard to the previous refusal by the Council as upheld by the Inspector.'

Since the Inspector's decision, Westler Foods who managed the factory at that time have been taken over by Zwanenberg Food Group BV who have invested heavily and further expansion plans. The factory now employs over 180 people and has prestigious contracts with the likes of Marks & Spencers, Tesco and Aldi etc. It is the second largest employer in Ryedale and it can be beyond doubt that any development which prejudiced or hinders such development policies EMP7, SP6 and SP20

Noise levels at the factory will, if anything have increased since the last decision by reason of the expansion of the factory operations. In addition, the latest articulated lorries which visit the site all utilise significantly brighter head lamps. Deliveries take place on a 24/7 basis and often in the early morning including Saturdays. The lights from these lorries will certainly impact upon the bedroom level accommodation in the proposed properties. In addition, the factory's new fork lift trucks which have high level head lights are used to access the freezers. When in and out of the freezers lights from the fork lift trucks will shine directly at the back of the houses.

The residential amenity of these properties will therefore be more than ever likely to be affected by the factory operations and it is likely to prompt complaints from these householders. I note in passing that complaints from a householder further away from the current proposed development has recently been received.'

The proposed scheme is a more dense form of development than originally dismissed on appeal. These properties as potential receptors of noise and disturbance are significantly less protected, though the design of the scheme, than those of the previously dismissed scheme. There are comments within the objection letters noting the current noise and disturbance for existing properties, that are located a greater distance from the factory site than the proposed dwellings. Policy EMP7 of the RLP contains the provision for the expansion of the factory site on land to the south, thereby creating a greater potential impact in the longer-term. In view of the objections raised from Malton Foods, local residents and the likelihood of complaints by Environmental Health Specialists it is considered that the propose use has a real risk of undermining the business operations at Malton Foods and prejudicing the local economy. The development of this site as proposed is therefore considered to be in conflict with NPPF and the adopted development plan.

The impact of the scheme upon the amenity of the adjoining occupiers

Glenmore, Glencoe and Bentley House are located to the north of the 'inner' proposed dwellings with a trackway along the western boundary. There is a minimum separation distance of 16m from Plot 15 (the closest plot) and Glencoe. This is however, a rear elevation - gable relationship, and not a back-to-back relationship. It is considered that the proposed scheme will not have an adverse effect upon the amenities of the surrounding properties in terms of potential overlooking, loss of day lighting or sun lighting, or noise and disturbance.

Highway safety:

The proposal includes a new access onto the B1257 with access for 2 private drives also onto the B1257. The site is located within the 40mph restricted speed area. Two parking spaces for each dwelling and 6 no. visitor car parking spaces are proposed. A pedestrian footpath is proposed along the frontage of the site. The Highway Authority has considered the proposal and recommended conditions. One of these conditions requires a new footpath across the site frontage, the adjacent factory access and up to the Hovingham –bound bus stop to the bus stop on the southern side of the B1257. It has been discussed with the Highway Authority about a pedestrian crossing point and refuge island, but due to the width of the road the size of local agricultural traffic it is not feasible to provide such a facility in the opinion of local Highway Authority Officers.

Contamination:

The site's former use as a commercial garage and filling station means there is a strong likelihood of potential contamination. A Phase 1 Contaminated Land Report has been submitted and considered by the Environmental Health Specialist. The recommendations of the Phase 1 Report are accepted and a further Phase 2 Report is required. Detailed planning conditions are recommended by Environmental Health Specialists in respect of potential contamination if permission is granted.

The impact of the scheme upon trees

The site contains many trees, particularly at the rear of the site at the rear of the site. The proposal is to clear the vast majority of the trees on the site, particularly the established wooded area at the rear of the site. A Tree Survey and Arboricultural Impact Assessment has been submitted, and identified significant negative impacts by the removal of the trees. These trees form an effective screen of the factory buildings and structures to the south. Furthermore the wider area of the site to the south, south west and south east is located within the Howardian Hills Area of Outstanding Natural Beauty (AONB). Policy SP16 of the Local Plan Strategy (quoted above) requires new development to reinforce local distinctiveness of existing areas. Policy SP20 seeks to ensure new development respects the character and context of the immediate locality and the wider landscape /townscape character. The presence of the trees on the site forms a strong element of the rural character of this site. The Countryside Management Specialist has stated:

'The Tree report (Dendra 29/11/17) states that the development as set out in this application will lead to a major negative impact at a site level due to the removal of 95% of the trees from the site. Visual amenity of the area, particularly when viewed from the north along the B1257, will be impacted as the removal of all the tree along the southern boundary of the site will open up clear views of the factory to the south which is 3 to 4m higher than the proposed development area.

Many of the trees to be removed are of at least moderate quality and effectively form a woodland group along the southern bankside which upgrades their importance and value, they are healthy and for the most part without significant faults so there is no reason to assume that these trees have anything other than a life span of greater than 40 years. Any tree which remain at the top of the bank within the ownership of the neighbours will always be under pressure from residents of the new houses due the effects of shading, leaf fall and perceived hazard and their close proximity.

No mitigation in the form of tree replacement or landscaping is proposed.

*I therefore **object** to this proposed development on the grounds of the loss of visual amenity and impact on the wider landscape'*

In view of the above loss of trees, and the absence of any suitable replacement planting, together with the consequent visual impact of the development and views of the factory site the proposal is considered to be contrary to the requirements of Policy SP16, and SP20 of the Local Plan Strategy.

Ecology

An Ecological Survey has also been submitted and considered by the Countryside Management Specialist. The survey has not identified any direct implications for protected species to be significant. A condition is recommended if permission is granted to ensure the Method Statement within the Ecology Survey is followed to ensure precautions are taken to protect any bats that may be on site. An informative is recommended in respect of birds.

Affordable Housing

Policy SP3 of the Local Plan Strategy has a requirement for 35% on-site Affordable Housing. NPPG allows a Vacant Building Credit to be used for existing buildings on the site. The Council's Housing Officer has calculated a requirement of 3.34 dwellings is required taking into account the Vacant Building Credit. This has resulted in 3 no. on-site dwellings and an off-site contribution calculated to be £28,327 for the remaining amount. If this application is to be approved a S106 legal agreement will be required to ensure this provision is delivered. In view of the Affordable Housing contribution, Delivery and Frontline Services Officers support this application from their perspective.

Developer contributions:

The market housing would be chargeable to CIL at £85m2, if approved.

Drainage

The proposal is to drain foul water into the mains and surface water via soakaways.

Yorkshire Water has no objections to the proposal to drain foul water to the mains subject to conditions. Three soakaways are proposed within the private parking areas to drain all surface water from the site. These details have been forwarded to the Lead Local Flood Authority for their views. It should be noted that this information was submitted late in the process. Members will therefore be updated at the meeting. If this information is acceptable in principle there are likely to be issues relating to the future maintenance and management of these soakaways. Drainage gullies are proposed within the road to be adopted.

Other issues

The Parish Council has objected to the application for the following reasons:

- They question whether it is possible to build up to the back of the site;
- That the layout is too dense;
- The overshadowing by the bank;
- The size and scale of the new dwellings are out of character with the surrounding houses;
- The scheme does not reflect local vernacular; and,
- Noise from the factory.

There have also been 9 letters of objection. Two of these responses are from Malton Foods and their representative, they have been discussed in the report above. The other issues raised are:

- The design and style of the housing proposed is out of keeping with the area;
- Noise from the development;
- Further traffic in the village;
- The density if the development;
- Concern at the type of people the houses may encourage;
- Contamination at the site, particularly asbestos;
- Stability of the bank;

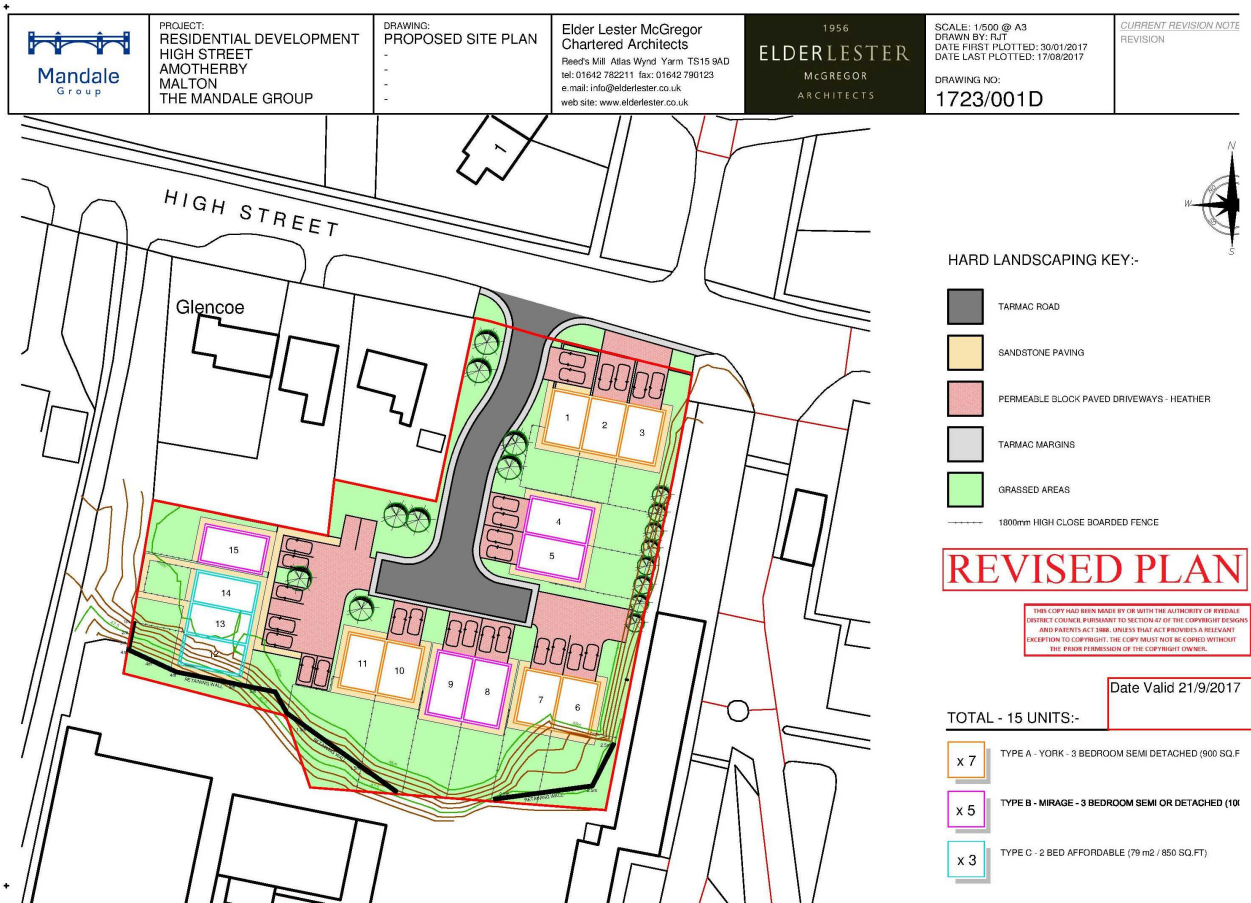
- Ecology;
- Loss of trees;
- Lack of public transport
- Cramped layout;
- Boundary issues;
- The cumulative total of this site and site opposite is 35 dwellings for Amotherby which is too much for the village;
- Factory noise; and,
- Pedestrian crossing points on the B1257;
- That factory noise can start before 6am

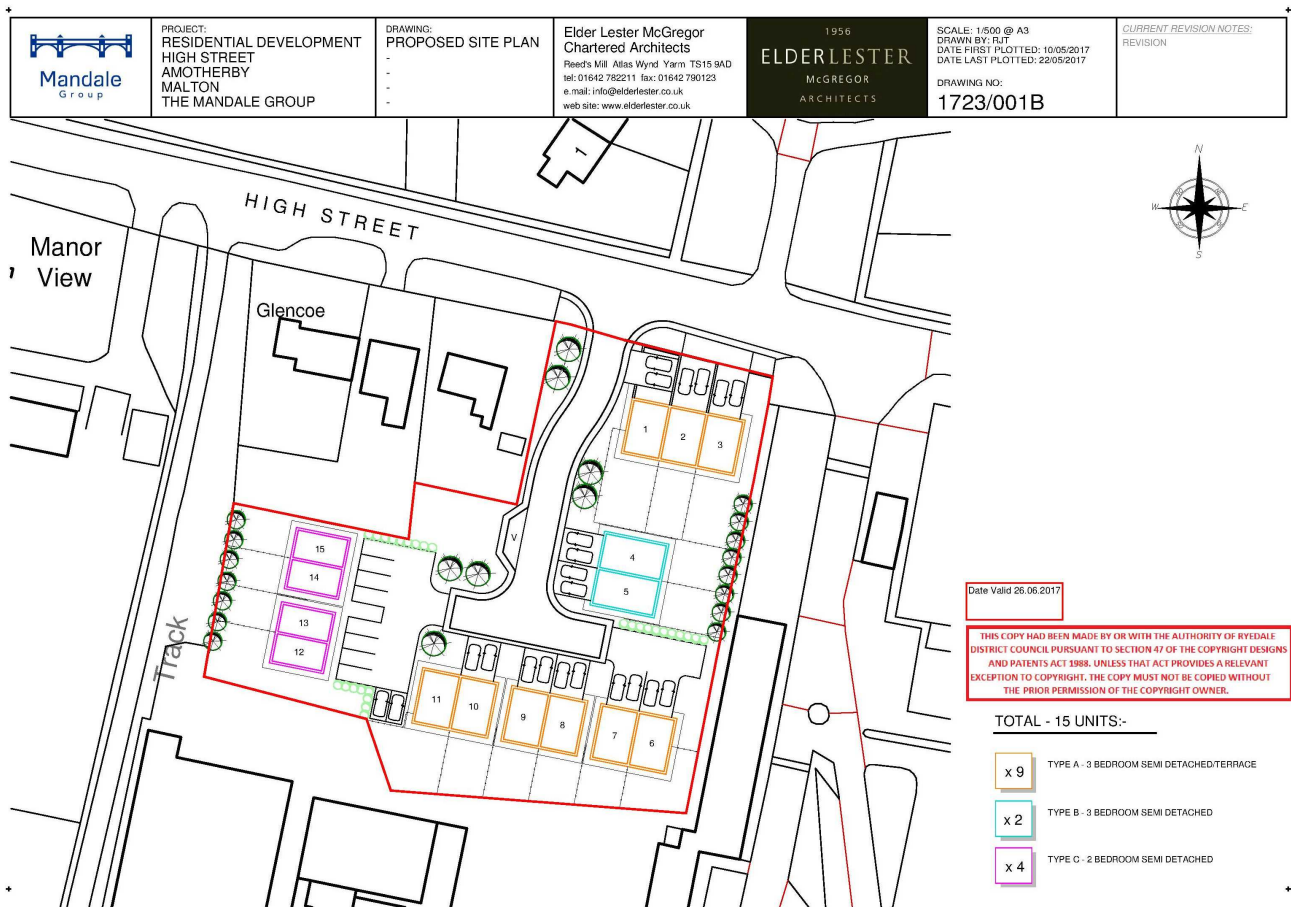
The majority of the issues raised have been assessed above. The comment about the persons who might occupy the proposed housing is not a relevant material planning consideration. The stability of the rear earth bank is a significant concern, and the stability of this is essential. If the application were to be considered favourably as a whole, additional work in this respect would need to be conditioned. It is noted that Amotherby does have public transport links, a School, a Public House, two Employment Sites, and a Public House and restaurant. It is, along with Swinton, a 'Service Village within the adopted Local Plan Strategy. It is considered to be a settlement that is capable of accommodating some new residential development.

Whilst there are some benefits associated with the development of this site identified in this report, it is considered that these benefits are not sufficient to overcome the other significant harm identified in the above assessment. In view of the above assessment, this application cannot be supported and is recommended for refusal.

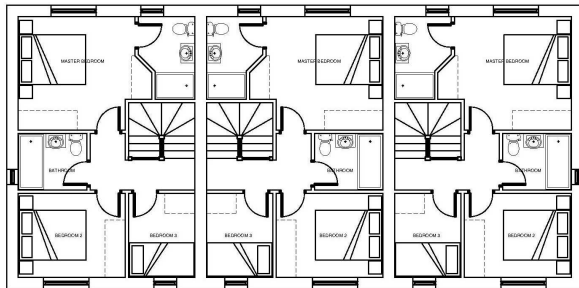
RECOMMENDATION: Refusal

- 1 The proposed residential development is not considered to provide for a satisfactory level of residential amenity. This is because of its close proximity to Malton Foods immediately to the south, a designated employment site, and the B1257 to the north. The consequential noise and disturbance from machinery, plant, equipment and activity from Malton Foods and from road traffic noise is considered to be incompatible with the proposed residential development. This will mean that occupiers of the proposed dwellings will be unable to open windows for natural ventilation without experiencing excessive noise levels or use their private gardens without being subject to unacceptable noise levels. The proposed development is thereby contrary to the requirements of Policy SP20 of the Local Plan Strategy.
- 2 The close proximity of Plots 6 - 13 to the steep bank to the southern side and proposed retaining wall is not considered to provide for a satisfactory level of amenity and would result in an oppressive outlook for those properties. The proposal is therefore considered to be contrary to the requirements of Policy SP20 of the Local Plan Strategy.
- 3 The proposed residential scheme by virtue of the number of dwellings proposed; their design and mix; cramped layout; the location of parking areas; and the loss of existing landscaping; is not considered to reinforce local distinctiveness and is considered to be detrimental to the character and appearance of the area. The proposal is therefore considered to be contrary to the requirements of Policy SP16 and SP20 of the Local Plan Strategy.
- 4 The development of this site for 15 dwellings immediately adjoining the allocated employment site would be likely to prejudice the long-term operations on this employment site by giving rise to complaints about their operations and activity at the site by virtue of the close relationship between this site and the allocated employment site. The proposal is therefore considered to be contrary to Para. 7, 18 and 19 of NPPF Policy SP20 and risks the future exposure of the business in accordance with 'saved' Policy EMP7 of the Ryedale Local Plan.

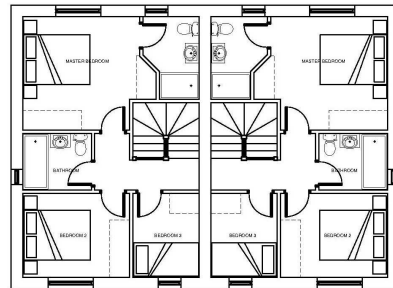




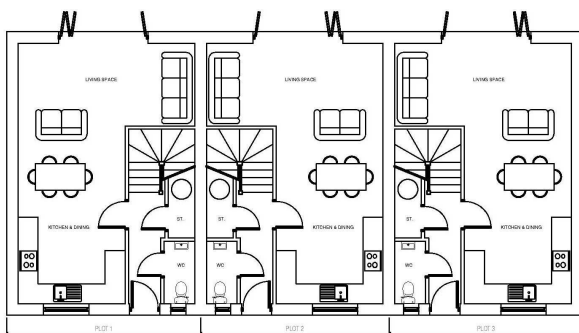
	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: TYPE A - 3 BEDROOM 900 SQ.FT PROPOSED PLANS PLOTS 1-3 & 6-7 & 10-11	Elder Lester McGregor Chartered Architects Reed's Mill Atlas Wynd Yarm TS15 8AD tel: 01642 782211 fax: 01642 790123 e.mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1:100 @ A3 DRAWN BY: RLJ DATE FIRST PLOTTED: 09/05/2017 DATE LAST PLOTTED: 17/08/2017 DRAWING NO: 1723/002A	CURRENT REVISION NOTES: REVISION:
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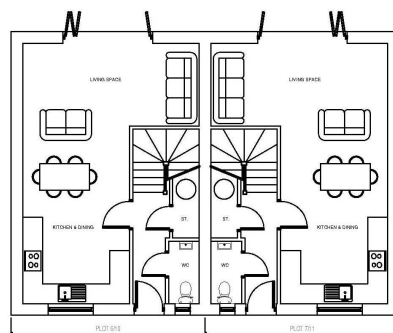
PROPOSED FIRST FLOOR



PROPOSED FIRST FLOOR



PROPOSED GROUND FLOOR



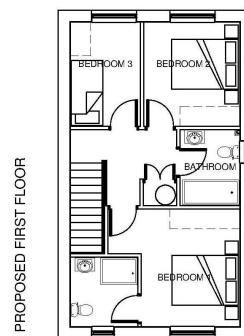
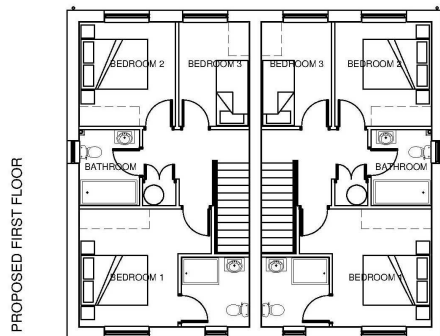
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Date Valid 21/9/2017

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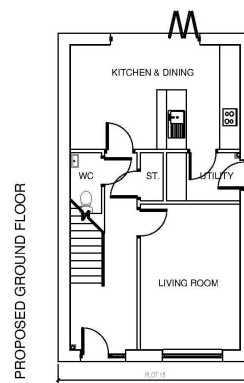
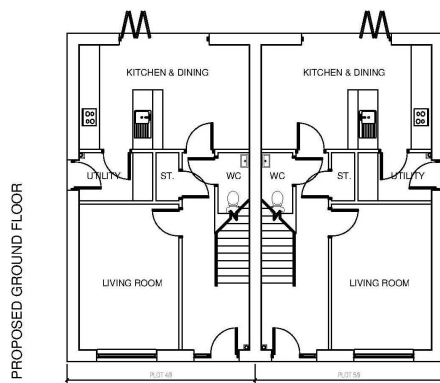
	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: TYPE B - 3 BEDROOM 1000 SQ. FT PROPOSED PLANS PLOTS 4-5, 8-9 & 15	Elder Lester McGregor Chartered Architects Reed's Mill Atlas Wynd Yarm TS15 9AD tel: 01642 782211 fax: 01642 790123 e.mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1:100 @ A3 DRAWN BY: RLJ DATE FIRST PLOTTED: 09/05/2017 DATE LAST PLOTTED: 17/08/2017 DRAWING NO: 1723/005A	CURRENT REVISION NOTES: REVISION:
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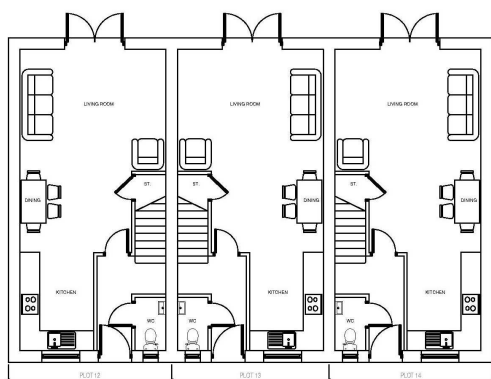
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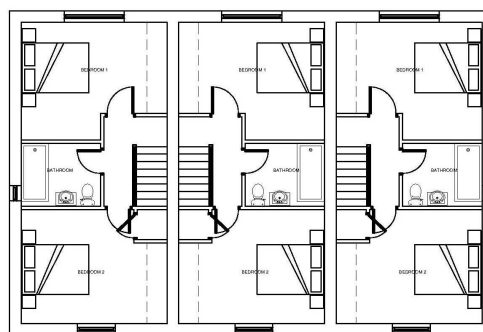
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	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: TYPE C - 2 BEDROOM 850 SQ.FT (79m2) PROPOSED PLANS PLOTS 12-14	Elder Lester McGregor Chartered Architects Reed's Mill Atlas Wynd Yarm TS15 9AD tel: 01642 782211 fax: 01642 790123 e.mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1:100 @ A3 DRAWN BY: RLJ DATE FIRST PLOTTED: 09/05/2017 DATE LAST PLOTTED: 09/05/2017 DRAWING NO: 1723/008	CURRENT REVISION NOTES: REVISION:
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PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

Date Valid 21/9/2017

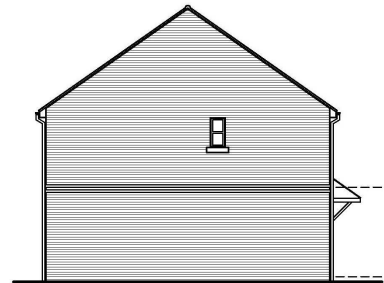
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PROPOSED FRONT ELEVATIONS

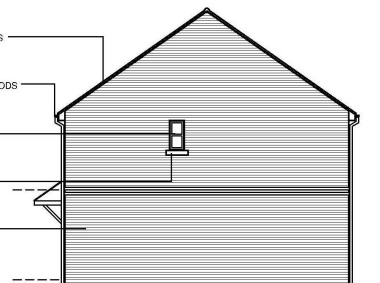


PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATIONS

- PLAIN CONCRETE ROOF TILES
- BLACK UPVC RAINWATER GOODS
- WHITE UPVC WINDOWS
- ARTSTONE SILLS
- FACING BRICK



PROPOSED SIDE ELEVATION

Date Valid 21/9/2017

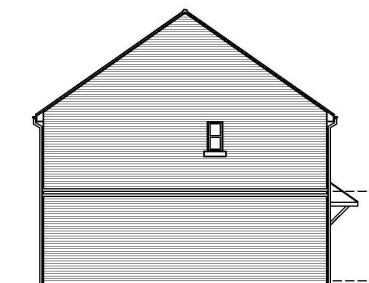
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PROPOSED FRONT ELEVATIONS

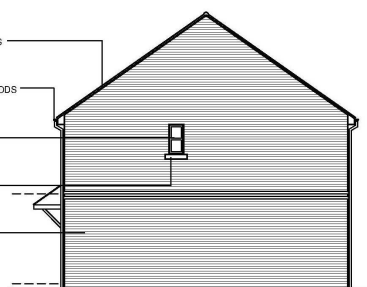


PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATIONS

- PLAIN CONCRETE ROOF TILES
- BLACK UPVC RAINWATER GOODS
- WHITE UPVC WINDOWS
- ARTSTONE SILLS
- FACING BRICK



PROPOSED SIDE ELEVATION

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PROPOSED FRONT ELEVATIONS



PROPOSED SIDE ELEVATIONS



PROPOSED REAR ELEVATIONS

- PLAIN CONCRETE ROOF TILES
- BLACK UPVC RAINWATER GOODS
- WHITE UPVC WINDOWS
- ARTSTONE SILLS
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PROPOSED SIDE ELEVATIONS

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REVISED PLAN

	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: TYPE B - 3 BEDROOM 1000 SQ.FT ELEVATIONS PLOTS 15	Elder Lester McGregor Chartered Architects Reed's Mill Atlas Wynd Yarm TS15 9AD tel: 01642 782211 fax: 01642 790123 e.mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1:100 @ A3 DRAWN BY: RLJ DATE FIRST PLOTTED: 17/08/2017 DATE LAST PLOTTED: 17/08/2017 DRAWING NO: 1723/007A	CURRENT REVISION NOTES: REVISION:
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PROPOSED FRONT ELEVATIONS

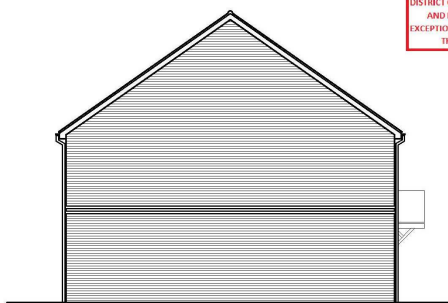


PROPOSED SIDE ELEVATIONS



PROPOSED REAR ELEVATIONS

- PLAIN CONCRETE ROOF TILES
- BLACK UPVC RAINWATER GOODS
- WHITE UPVC WINDOWS
- ARTSTONE SILLS
- FACING BRICK



PROPOSED SIDE ELEVATIONS

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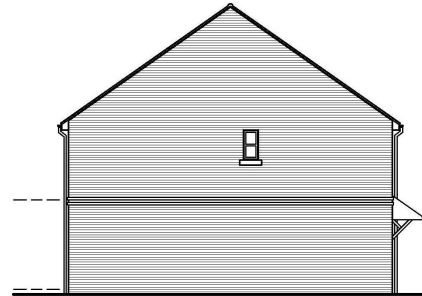
Date Valid 21/9/2017

REVISED PLAN

	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: TYPE C - 2 BEDROOM 850 SQ.FT (79m2) PROPOSED ELEVATIONS PLOTS 12-14	Elder Lester McGregor Chartered Architects Reed's Mill Atlas Wynd Yarm TS15 9AD tel: 01642 782211 fax: 01642 790123 e.mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1:100 @ A3 DRAWN BY: RLJ DATE FIRST PLOTTED: 09/05/2017 DATE LAST PLOTTED: 09/05/2017 DRAWING NO: 1723/009	CURRENT REVISION NOTES: REVISION:
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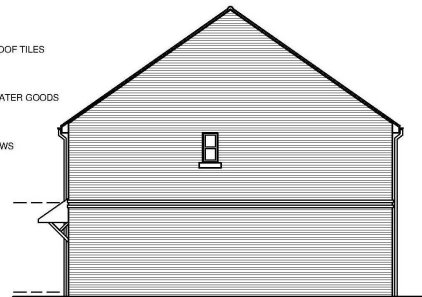
PROPOSED FRONT ELEVATIONS



PROPOSED SIDE ELEVATIONS



PROPOSED REAR ELEVATIONS



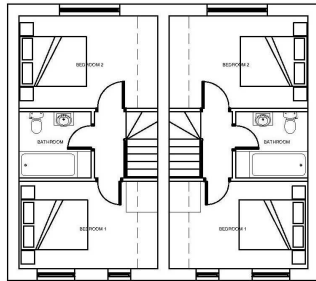
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Date Valid 21/9/2017

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REVISED PLAN

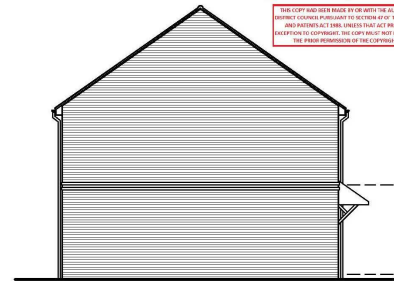
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PROPOSED FIRST FLOOR



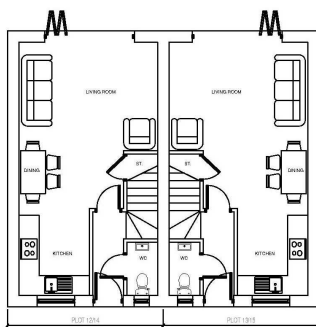
PROPOSED FRONT ELEVATIONS



PROPOSED SIDE ELEVATIONS

Date Valid
26.06.2017

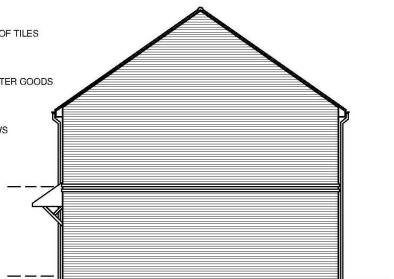
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PROPOSED GROUND FLOOR



PROPOSED REAR ELEVATIONS



PROPOSED SIDE ELEVATIONS

- PLAIN CONCRETE ROOF TILES
- BLACK UPVC RAINWATER GOODS
- WHITE UPVC WINDOWS
- ARTSTONE SILLS
- FACING BRICK

	PROJECT: RESIDENTIAL DEVELOPMENT HIGH STREET AMOTHERBY MALTON THE MANDALE GROUP	DRAWING: PROPOSED SITE PLAN	Elder Lester McGregor Chartered Architects Peeds Mill, Alais Wynd, Yarn, TS15 9AD Tel: 01842 782211 Fax: 01842 790123 e-mail: info@elderlester.co.uk web site: www.elderlester.co.uk	1956 ELDERLESTER MCGREGOR ARCHITECTS	SCALE: 1/500 @ A3 DRAWN BY: RJT DATE FIRST PLOTTED: 30/01/2017 DATE LAST PLOTTED: 20/11/2017 DRAWING NO: 1723/001J	CURRENT REVISION NOTES: REVISION
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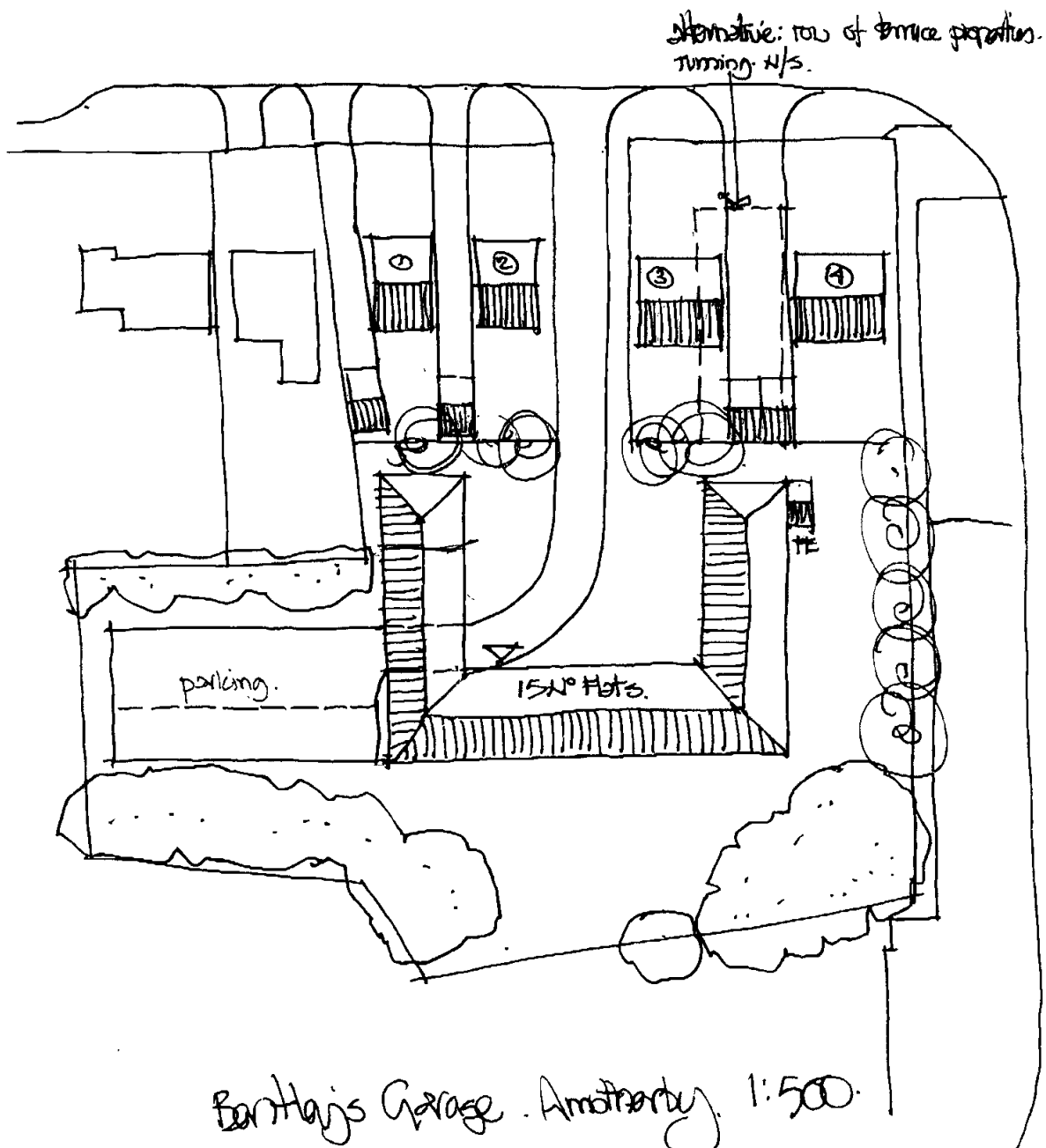
HARD LANDSCAPING KEY:-

- TARMAC ROAD
- SANDSTONE PAVING
- PERMEABLE BLOCK PAVED DRIVEWAYS - HEATHER
- TARMAC FOOTPATHS/MARGINS
- GRASSED AREAS
- 1800mm HIGH CLOSE BOARDED FENCE

TOTAL - 15 UNITS:-

- TYPE A - YORK - 3 BEDROOM SEMI DETACHED (900 SQ.FT) **x 7**
- TYPE B - MIRAGE - 3 BEDROOM SEMI OR DETACHED (1000 SQ.FT) **x 5**
- TYPE C - 2 BED AFFORDABLE (79 m2 / 850 SQ.FT) **x 3**

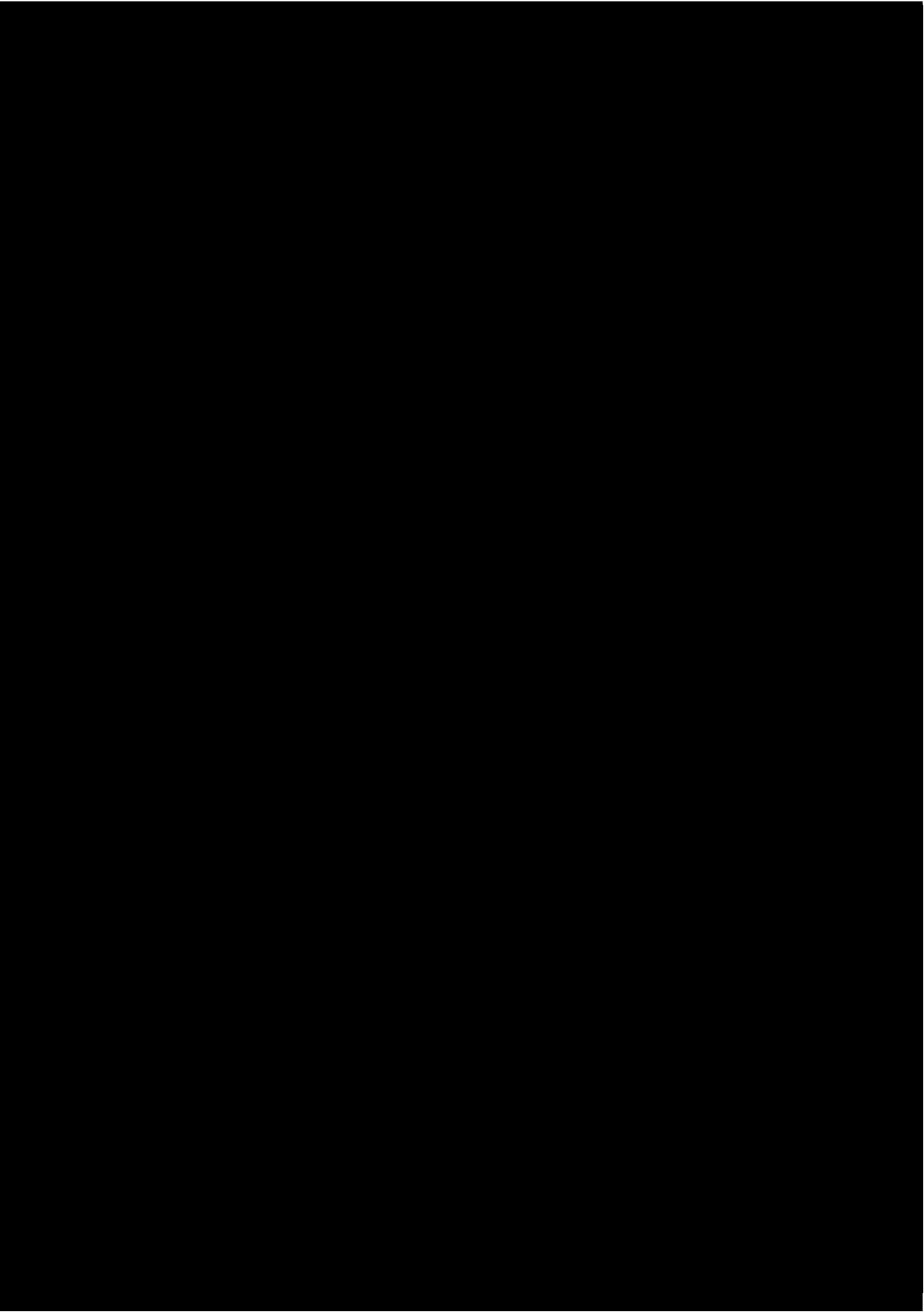
FOR ILLUSTRATIVE PURPOSES.

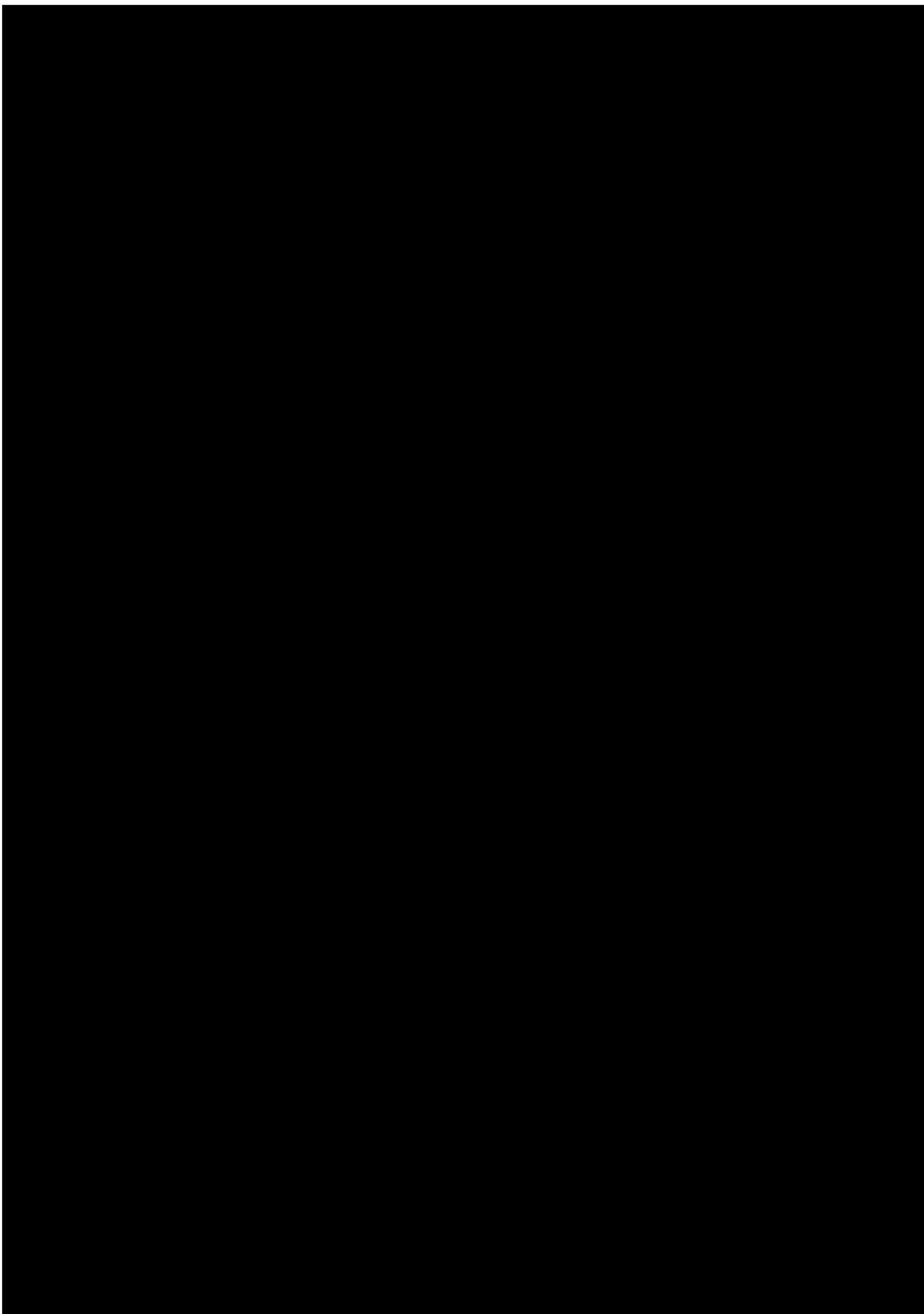


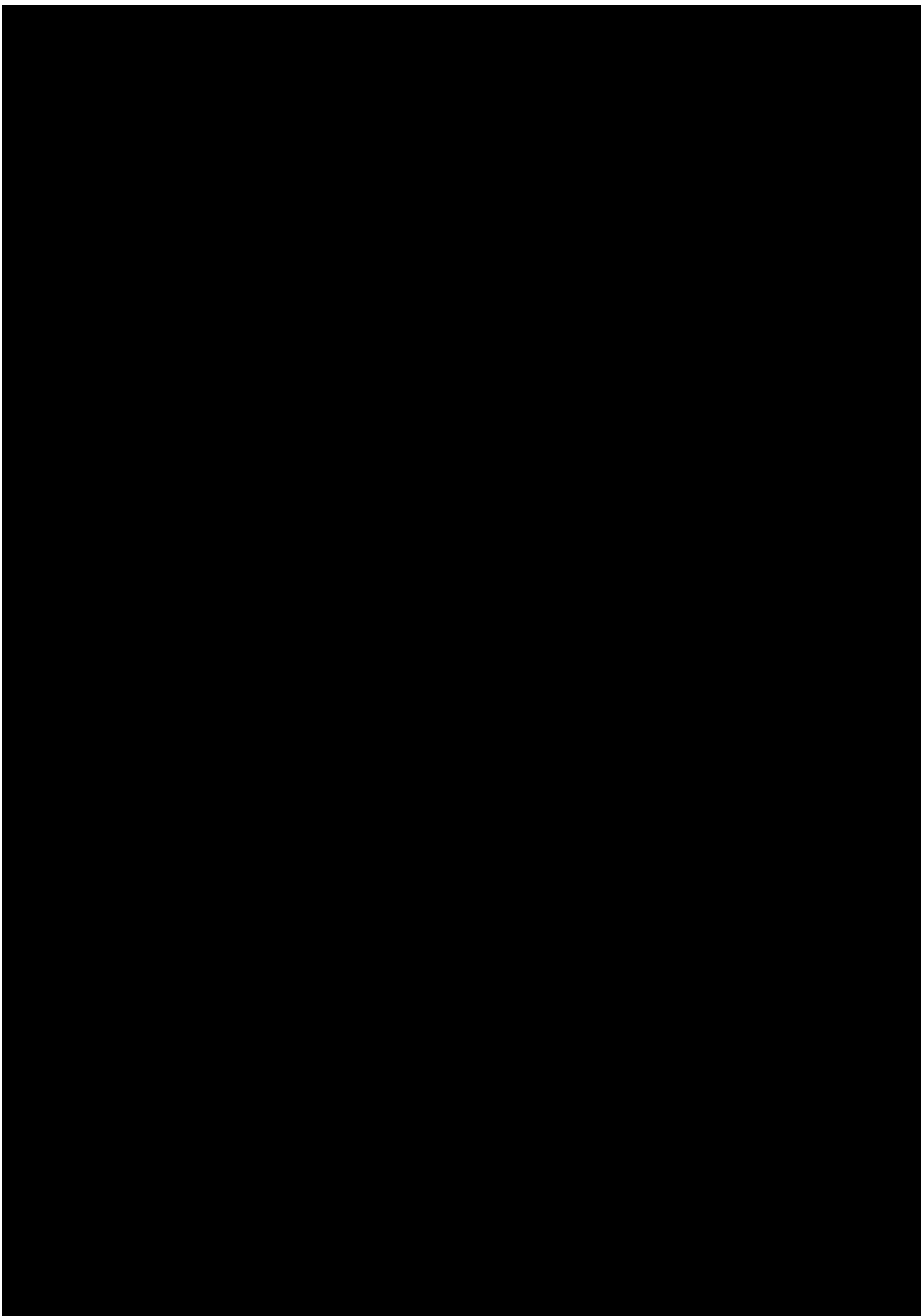
RYEDALE D.C.

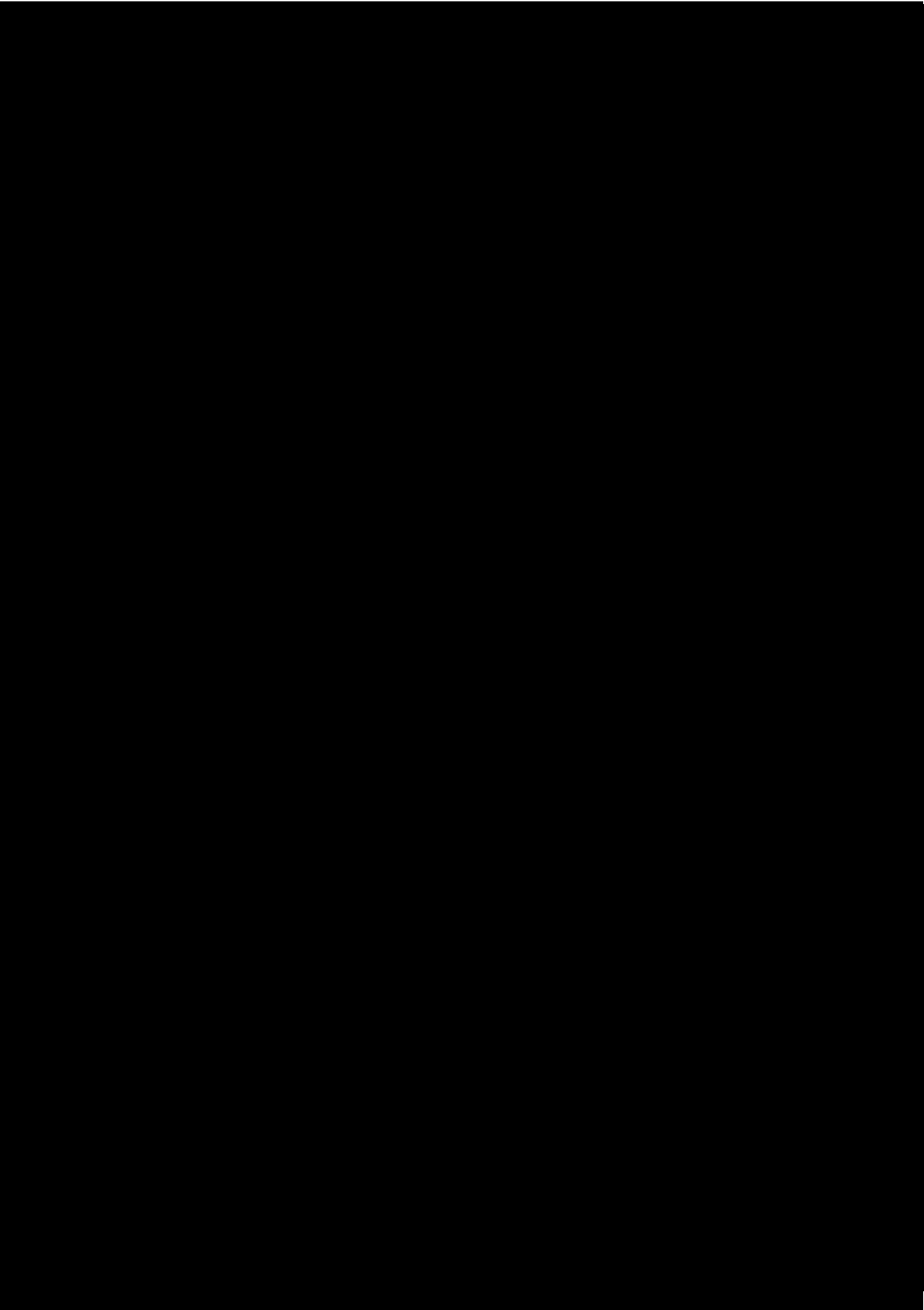
17 JAN 2006

DEVELOPMENT CONTROL









Design & Access Statement

Land at High Street,
Amotherby



ELG



DESIGN & ACCESS STATEMENT

CONTENTS

1.	INTRODUCTION	Page 2
2.	PLANNING POLICY CONTEXT	Page 3
3.	UNDERSTANDING THE CONTEXT	Page 8
4.	DESIGN & ACCESS CONSIDERATIONS	Page 11
5.	CONCLUSIONS	Page 16

REVISION RECORD					
Rev	Description	Date	Author	Checked	Approved
0	Draft	17/05/17	BM	TF	JG

1. INTRODUCTION

1.1 Full planning consent for residential development of 15 dwellings on land off High Street in Amotherby.

1.2 This statement deals with issues of design and access. It clearly defines the parameters of the development proposals and demonstrates how they have evolved following a detailed analysis of the application site and surroundings to establish constraints and opportunities. The statement should be read alongside the suite of reports and Statements prepared for this planning application submission.

Accompanying Documentation

1.3 This statement should be read in conjunction with the following information, which has also been submitted as part of the planning submission:

- Planning Statement;
- Phase 1 Contamination Report;
- Ecology Report;
- Noise Survey; and
- Tree Survey

1.4 The structure and content of the statement has been informed by the Development Management Procedure Order 2010 and CABE document '*Design & Access Statements: How to Write, Read & Use Them*' (2006). These documents provide guidance on the content of Design & Access Statements, which can be summarised as follows:

- i. ***Assessment*** – analysis of the physical, social and economic and planning policy context relating to the site;
- ii. ***Evaluation*** – analysis of the constraints and opportunities presented by the site to inform the overall design solution;

- iii. **Design** – analysis of the design solution in terms of Use & Amount, Layout, Scale, Landscaping, Appearance and Accessibility

Structure of the Statement

- 1.5 This Design and Access Statement is structured as follows:

Section 2 outlines the relevant planning policy context in respect of design and access considerations.

Section 3 analyses location and the built and natural context of the site and its surroundings.

Section 4 Sets out the design and access considerations that have been taken into account and informed the design proposals for the site. This includes an assessment of the site's constraints and opportunities, the evolution of the design, use & amount, layout, scale, appearance, landscaping, accessibility and matters of sustainable construction.

Section 5 draws conclusions on the overall findings of the statement.

2. PLANNING POLICY CONTEXT

- 2.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that the statutory Development Plan will continue to be the starting point in the consideration of planning applications for the development or use of land, unless material considerations indicate otherwise.

- 2.2 The Development Plan therefore provides the essential framework for planning decisions. When conflicts between Local Plan policies arise, decisions should be taken in the light of all material considerations, including local priorities and needs, guided by relevant national policy.

- 2.3 In respect of the application/appeal site, the Development Plan comprises:

- The Ryedale Plan (2012)
- The Local Plan Strategy (2013)

DEVELOPMENT PLAN

2.4 This statement looks at each of these documents in relation to matters of design and access only. All other matters considered relevant to the determination of the application, including matters relating to the principle of development and housing land issues, are addressed within the supporting Planning Statement and other supporting documents.

2.5 The following policies are considered relevant to the determination of the application in respect of issues of design and access:-

- Policy SP16 Design

2.6 Policy SP16 states:

'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:

- *Reinforce local distinctiveness*

- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being'*

2.7 The policy continues to state that development should seek to consider *'the location, siting, form scale and detailed design of new development'* with respect to the site surroundings including:

- *'topography',*
- *'medieval street patterns',*
- *'the size and scale of buildings',*
- *'the character and appearance of open space and green spaces',*
- *'views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings', and*
- *'the type, texture and colour of material, quality and type of building techniques and elements of architectural detail'.*

2.8 Other relevant parts of the policy state:

'The design of new development will also be expected to:

- *'Incorporate hard and soft landscaping'...*
- *'Contribute to a safe and well-connected public realm' by ensuring the development is integrated into existing areas of public realm.*
- *'Reduce crime'*
- *'Make efficient use of land.... In general new housing development should not be built below an indicative density of 30 dwellings to the hectare unless this can be justified in terms of surrounding context'.*

2.9 This statement will set out how the development achieves the requirements of policy SP16.

National Planning Policy

National Planning Policy Framework (March 2012)

2.10 The National Planning Policy Framework (NPPF) sets out Central Government's planning policies for England & Wales. It makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development.

2.11 The NPPF advises at Paragraph 7 that there are 3 dimensions to sustainable development: economic, social and environmental. The 'roles' can be summarised as:-

Economic – Contributing to building a strong, responsive and competitive economy, by ensuring sufficient land of the right type is available in the right places at the right time to support growth and innovation

Social – Providing a supply of housing required to meet the needs of the 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.

Environmental – Contributing to protecting and enhancing our natural, built and historic environment.

2.12 Paragraph 9 advises seeking to achieve sustainable design involves seeking positive improvements in the quality of the built,

natural and historic environment and people's quality of life. In practice this means, amongst other things –

- Moving from a net loss of bio-diversity to achieving net gains for nature;
- Replacing poor design with better design,
- Widening the choice of high quality homes

2.13 Paragraph 17 sets out the Government's Core Planning Principles that should underpin 'plan making' and 'decision taking'. In respect of matters of design and accessibility the following are relevant:-

- *'Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land buildings';*
- *'Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;*

- *'Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.'*

2.14 Section 7 (Requiring Good Design) of the NPPF advises that the Government attaches great importance to the design of the built environment and that good design is indivisible from good planning and should make a positive contribution to making places better for people. It advises that planning policies and decisions should aim to ensure that developments:-

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses*

(including incorporation of green and other public space as part of developments) and support local facilities and transport networks;

- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping.*

3. UNDERSTANDING THE CONTEXT

Site Location & Description

- 3.1 This site is located just south of High Street in Amotherby.
- 3.2 The site is previously developed land, which has several small light industrial/agricultural buildings and a former car garage on-site (see image below).

Fig 1. Disused Car Garage



Fig 2. Boundary Plan



Appraising the Context

Fig 3. Site Location Plan (site outlined in red)



- 3.3 The application site is located just off High Street (B1257), which forms the spine of the village, running east-west.
- 3.4 The village of Amotherby is arranged along three main road routes: High Street, Amotherby Lane, and West Street. The site is located off High Street with a small industrial park to the rear.

Fig 4. Images of the Different Housing Types and Styles in Amotherby

- 3.5 Buildings along Main Street are separated by clusters of residential/agricultural buildings. These buildings appear to be built in the twentieth century, with infilling along High Street extending the limits of Amotherby eastwards
- 3.6 The village of Amotherby is largely made up of residential properties built between the late nineteenth and the early twenty-first century. The houses are typically detached or semi-detached. Some of the older eighteenth century properties along Amotherby Lane are terraced.



Constraints & Opportunities

Opportunities	Constraints
<ul style="list-style-type: none"> Development can significantly improve the appearance of the site, particularly part of the site facing onto High Street, where there is currently a disused vehicle garage. Development can be responsive to local character, incorporating design features that reinforce a sense of place. Provide much needed housing. 	<ul style="list-style-type: none"> Industrial Development to the south The development must provide sufficient parking and safe access, while creating an inclusive development. Grade II listed 'Lime Kiln Farmhouse' located nearby.

3.7 ELG Planning has made a series of exercises in order to fully understand the opportunities and constraints that exist at the site and surroundings. The following has been done:

- Researched local needs and issues;
- Reviewed the provisions and requirements of the adopted Development Plan and National Planning Guidance;
- Analysed the context within which the site is located, including the potential to impact upon nearby heritage assets; and
- Analysed the constraints and opportunities of the site for residential development.

Fig 5. View westwards from Lime Kiln Farmhouse



3.8 This assessment and consideration of constraints and opportunities established the following design objectives/brief for the site:

- Provide a mixture of semi-detached and terraced properties;
- To improve the amenity, recreation and wildlife value of the site;
- Incorporate a variety of simple design detailing in keeping with other developments in the village;
- Provide safe vehicular and pedestrian access from High Street;
- Retain existing vegetation (except for when it needs to be removed for the creation of access and associated visibility splays);

3.9 The site is located around 150 meters from the Grade 2 Listed Lime Kiln Farmhouse. Policy SP16 of the Ryedale Local Plan Strategy states that the design of development should consider nearby historic assets and the potential impact on their character and setting. There is no interrelationship between the

proposal site and Lime Kiln Farm. The development will not impact upon the character and setting of the historic building.

4. DESIGN CONSIDERATIONS

4.1 This section of the statement provides a detailed analysis of the overall design for the development, taking into consideration the site's context, relevant planning policies and design guidance.

4.2 This Design and Access Statement assesses the proposed development in respect of the opportunities and constraints, use, amount, scale, layout, landscaping, appearance and access as set out by guidance contained within the Town and Country Planning (Development Management procedure) (England) order 2015.

Use & Amount

4.1 The principle of the use of the site for residential development is justified in the accompanying Planning Statement prepared by

ELG Planning. It concludes that the proposal is suitable in this location.

- 4.2 The proposals are for 15 no. 2-storey houses. The development will be in-keeping with existing house and styles present in the village, while providing a range of types and sizes to respond to identified housing demand.
- 4.3 The development will comprise 3 different house types. Please refer to the accommodation schedule below for further information.

Fig 6. Accommodation Schedule

House Number (as on the Proposed Site Plan (drawing number 2017/AMG/001 B))	Number of Floors	Format	Size (sq. ft.)

1	2	TYPE B – 'York': 3-Bed semi-detached	1000sq ft
2	2	TYPE B – 'York': 3-Bed semi-detached	1000sq ft
3	2	TYPE B – 'York': 3-Bed semi-detached	1000sq ft
4	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
5	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
6	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
7	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
8	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
9	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
10	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
11	2	TYPE C – 'Mirage': 3-bed semi-detached	680 sq ft
12	2	TYPE A – 'Rio/Paris' – 2- bedroom semi-detached	900 sq ft

13	2	TYPE A – 'Rio/Paris' – 2-bedroom semi-detached	900 sq ft
14	2	TYPE A – 'Rio/Paris' – 2-bedroom semi-detached	900 sq ft
15	2	TYPE A – 'Rio/Paris' – 2-bedroom semi-detached	900 sq ft

4.4 The Site Layout Plan 1723/001B indicates where different housing types will be located within the development.

4.5 The application seeks full planning permission for a development of 15 no. residential dwellings.

Layout

4.6 Houses (including rear gardens) and road infrastructure have been positioned to achieve optimum levels of residential amenity and minimise the noise impact from High Street and Malton Foods.

4.7 The proposals include private driveways/shared driveways and visitor parking to create a decluttered street scene, and a safe environment for pedestrians.

4.8 Properties have been positioned to promote natural surveillance, with front and side views covering all parts of the site.

4.9 Plots 1 to 3 face onto High Street. These properties will enhance the street scene, and add to the existing building line along High Street. Given the sites location at the eastern part of Amotherby, the development facing onto High Street will strengthen the sense of arrival at the eastern approach to the village.

Scale

4.10 The development will comprise of 15 no., 2-storey dwellings, with a mix of 2 and 3 bedroom semi-detached & terraced dwellings.

4.11 The development is modest in scale. The development will comprise a mixture of housing styles and sizes (please refer to Figure 6). The density and layout are considered appropriate to the scale of the development in relation to the immediate surroundings and settlement.

4.12 The scale of the dwellings will respect and reflect the local character and design of the surrounding area, whilst providing a good level of private amenity space for each dwelling.

Landscaping

4.13 Trees will be planted to the rear of properties to provide privacy and ensure residential amenity. The central parts of the site have been kept open, with minimal planning to maximise natural surveillance of the public parts of the site.

4.14 A road hierarchy has been established, with private shared drives acting to minimise the impact of vehicle movements around the site.

4.15 The landscaping shown on the submitted Site Plan is only indicative and a detailed landscaping scheme can be controlled by condition if planning consent is granted.

Fig 7. Proposed Site Layout Plan



Appearance

4.16 The proposed houses have been designed to a simple form. Properties have simple architectural styling, in-keeping with the local vernacular.

- 4.17 Details of materials and finishes can be found on elevation drawings submitted with this application. For further information on materials and finishes, see drawings: 1723/004, 1723/007, 1723/001B, 1723/005, 1723/002, 1723/006, 1723/003.

Access

- 4.18 A clear road hierarchy will be established, and use of shared private driveways will ensure that cars can move easily through the site with limited impact on residential amenity and pedestrian safety.
- 4.19 The development has tried to balance the land used by road, homes and open space.
- 4.20 The site and properties will be accessible by all groups.

Local Accessibility

- 4.21 The site is located just off High Street (B1257), which provides the main east-west link between the east (including key routes such as the A19, A1 (M) and A170) and west to Malton. Malton is located around 1.5km east of the site, with a full range of services.
- 4.22 York is around 20 miles south of Amotherby via the A64 (approximately 30 minutes by car).
- 4.23 The nearest bus stand is located within the maximum recommended 400m walking distance from the site. Bus services 194, 175 and 195R serve this bus stand, which offer direct services into Malton. These services operate daily, every 1 – 2 hours.

Pedestrian and Vehicular Access to the Site

- 4.24 A simple priority T junction is off High Street.

4.25 As previously outlined, pedestrian access to the site will be taken from High Street.

5. CONCLUSIONS

5.1 Full planning permission is sought for 15 no. dwellings at land off High Street in Amotherby.

5.2 This statement deals with matters of design and access only. It should be read in conjunction with the entire suite of supporting reports that accompany the planning application and demonstrate that there is no planning policy, environmental or technical reasons why the proposed development should not be granted planning consent.

5.3 The proposals will amount to an efficient and effective use of previously develop land in a sustainable location. The development will sit comfortably within its built and natural context in terms of design, landscape and ecological impact.

5.4 The proposed amount of development and the vehicular and pedestrian access arrangements will ensure that that the safety and capacity of the Local Highway Network is not unduly affected.

5.5 It is for the reasons set out within this and the accompanying reports that this proposal is acceptable in all respects and should be granted planning permission at the earliest opportunity.

AMOTHERBY PARISH COUNCIL

Clerk to the Council:-
Mrs S Brambles
Tel: Malton (01653) 695745
E-mail: clerk@amotherby-pc.gov.uk

CARPENTERS CROFT
AMOTHERBY, MALTON
NORTH YORKSHIRE, YO17 6TG

30th July 2017

Development Management Team
Ryedale House
Old Malton Road
Malton
YO17 7HH

Dear Sir/Madam,

Application No 1700636/MFUL

Mandale Homes North Ltd – Erection of 11no. three-bedroom dwellings and 4no. two-bedroom dwellings with parking and amenity areas on land occupied by former petrol station and associated buildings.

This application was discussed at the PC meeting of 26 July. The PC have no objection, in principle, to the development of this site.

However, the PC object to this application on several fronts:-

- The proposed layout has too great a density, meaning that those houses closest to the southern boundary will be completely overshadowed by the high steep bank (of the old quarry) and will have a very poor or non-existent level of amenity.
- The houses are tiny if compared to those adjacent, the design of the houses is poor and does not reflect the local vernacular.
- Although noise from Westlars/Malton Food factory is less than previously it does still exist and may in future increase again.

The LDF process lead to a public meeting on 1 Dec 2014 where public comments were largely in favour of this site (Site 61) being considered for development. See "Amotherby PC Submission to RDC on LDF sites in Amotherby, Dec 2014".

The PC hope the Planning Committee will take these comments into consideration and would like Councillors to see the site for themselves if at all possible.

Yours sincerely

Sammie Brambles
Parish Clerk, Amotherby Parish Council

AMOTHERBY PARISH COUNCIL

Clerk to the Council:-
Mrs S Brambles

CARPENTERS CROFT
AMOTHERBY, MALTON
NORTH YORKSHIRE, YO17 6TG

11th October 2017

Development Management Team
Ryedale House
Old Malton Road
Malton
YO17 7HH

Dear Sir/Madam,

Application No 1700636/MFUL-revised plans 21/9/17
Mandale Homes North Ltd – Erection of 11no. three-bedroom dwellings and 4no. two-bedroom dwellings with parking and amenity areas on land occupied by former petrol station and associated buildings.

The revised plans for this application were discussed at the Parish Council meeting of 9th October and the Council have the following comments:-

- The amendments to the plans are negligible, although it is noted that one 2-bedroom house has been replaced by a 3-bedroom one.
- Three houses appear to be built right up to or on the bank, how can this be possible?

The Parish Council continues to OBJECT to this application and wishes to re-iterate the comments in the letter of 30th July, ie.

- The proposed layout has too great a density, meaning that those houses closest to the southern boundary will be completely overshadowed by the high steep bank (of the old quarry) and will have a very poor or non-existent level of amenity.
- The houses are tiny if compared to those adjacent, the design of the houses is poor and does not reflect the local vernacular.
- Although noise from Westlars/Malton Food factory is less than previously it does still exist and may in future increase again.

The Parish Council would still ask that Councillors see the site for themselves, if at all possible.

Yours sincerely

Nigella Ballard (Mrs)
Acting Clerk to Amotherby Parish Council

Agenda Item 8

Item Number: 8
Application No: 17/00645/MOUT
Parish: Amotherby Parish Council
Appn. Type: Outline Application Major
Applicant: Mr David Hume
Proposal: Residential development of 20no. semi-detached dwellings and formation of vehicular access (site area 0.79ha) - approval sought for access and landscaping
Location: Land East Of Manor Farm Amotherby Malton North Yorkshire
Registration Date: 12 June 2017
8/13 Wk Expiry Date: 11 September 2017
Overall Expiry Date: 15 December 2017
Case Officer: Gary Housden **Ext:** 307

CONSULTATIONS:

Highways North Yorkshire	Recommends conditions.
Lead Local Flood Authority	Recommendations and comments.
Countryside Officer	Recommendations.
Designing Out Crime Officer (DOCO)	Recommend conditions
Yorkshire Water Land Use Planning	Recommends Condition
Archaeology Section	No objections
Housing Services	S106 required
Building Conservation Officer	No objection
Sustainable Places Team (Yorkshire Area)	No comments to make
Environmental Health Officer	Cannot support this proposal
Parish Council	Raised concerns
Parish Council	Support

Neighbour responses: None received

SITE:

The application site is located within the Parish of Amotherby to the north of the B1257. The site is located beyond the identified development limits in open countryside between a complex of farm buildings known locally as Manor Farm and Granary Barn to the west and a group of ex local authority dwellings to the east known as Eastfield. Eastfield is set out in a crescent layout which differs from the linear single depth ribbon form of residential development to the south of the B1257. The former Bentleys Garage and Malton Food site lie further to the south/south-west.

The site has a frontage of 96 metres to the B1257 with a depth which varies between 80 and 93 metres. The site levels generally fall from south to north and there are well established trees on the south and eastern boundaries with hedgerows elevated. The site has an overall area of 0.79 hectares (1.95 acres)

PROPOSAL:

The proposal seeks outline planning permission for 20 No. semi-detached dwellings and formation of vehicular access. The application as originally submitted sought approval for the reserved matters of access and landscaping to be considered. However during the processing of the application the applicant's agent has confirmed that they wish that the layout is also considered as part of the outline application.

The submitted plans show 8 No. two bedroomed dwellings; 8 No. three bedroomed dwellings and 4 No. four bedroomed dwellings equating to 25 dwellings/hectare. As Proposed the dwellings have gross floor areas of 75 sq m; 93 sq m and 110 sq m respectively.

During the processing of the application amended plans have been submitted to respond to comments received from the local Highway Authority and the Lead Local Planning Authority in relation to highway and surface water drainage concerns.

The application is accompanied by a number of technical reports including:

- Planning Statement
- Design and Access Statement
- Landscape and Visual Impact Assessment
- Ecological Assessment
- Archaeological Assessment
- Heritage Assessment
- Sustainable drainage report
- Phase 1 Desk top study report
- Noise Assessment

These can be viewed in full on the Council's website. Following responses a further noise report has been received.

HISTORY:

Ref 16/00294/MOUT. Erection of 6 two bed dwellings, 8 three bed dwellings and 3 four bed dwellings. Withdrawn.

There is no other relevant planning history relating to the site.

POLICY:

National Policy

NPPF

NPPG

Local Planning Policy

Ryedale Plan Local Plan Strategy Adopted 2013

Ryedale Plan adopted 2002 – Saved Policies and Proposals Map

Emerging Local Plan Sites Document- publication stage reached October 2017 - submission for examination Spring 2018

The following policies contained in in 2013 Local Plan Strategy are considered to be relevant to the consideration of the current application.

Policy SP1 General Location and Distribution of Development

Policy SP2 Delivery and Distributions of New Housing

Policy SP3 Affordable Housing

Policy SP4 Type and Mix of New Housing

Policy SP12 Heritage

Policy SP13 Landscapes

Policy SP14 Biodiversity

Policy SP16 Design

Policy SP17 Managing Air Quality, Land and Water Resources

Policy SP19 Sustainable Development

Policy SP 20 Generic Development Management Issues

APPRAISAL:

The main considerations to be taken into account in respect of the consideration of this application are:

- Principle of development Landscape impact
- Impacts on trees
- Ecological matters
- Heritage impacts including Archaeology Highway safety matters
- Drainage Issues
- Design and layout issues
- Amenity considerations/Including Noise
- Other matters

Principle of development

The site is not allocated in the development plan for residential development. It is located in open countryside beyond the established development limit for the village. Amotherby is identified as a Service Village in the adopted Local Plan Strategy being a tertiary focus for growth in the development plan along with nine other Service Villages in Ryedale.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of any application must be made in accordance with the development plan unless material considerations indicate otherwise.

Policies SP1 and SP2 set out the rationale for the general distribution of development and in particular the distribution of new housing in the plan period, including allocations of appropriate scale in and adjacent to the built up area. In this case the site is located to the north side of the B1257 in an open parcel of land between the main built up area of the village to the west and Eastfield further to the east. The B1257 is a significant barrier to the continuation of the village development limits which run further to the south of the 'B' road and which include the Malton Foods site.

In terms of the emerging plan the site has been submitted for consideration along with others (shown as site 635). However, the Council has indicated a desire to promote the selection of Site 148 immediately to the west of the main built up of the village because it is better located in relation to the built up area of the village, closer to the school with the potential to improve access into and out of the main village street.

The emerging plan is of course not yet adopted and is yet to be examined. However the decisions taken by the Council in October 2017 are a formal position which is set out at an advanced stage of the plan making process. Whilst the publication version of the Site's Document cannot be afforded full weight it is nevertheless a significant material consideration to be given weight in this decision making process. A decision to approve this application could be considered to be a prematurity issue i.e. a decision which is both premature and contrary to the emerging site's development plan.

Land supply position

Members will be aware that the five year land supply position has been calculated and trajectorised. The Council's land supply position is that there is currently a 6 year supply of available sites. This is a robust position and means that all of the policies in the development plan have full weight. The presumption in Para 4 of the NPPF is not therefore engaged and Members are at liberty to determine whether the benefits/material considerations of the scheme are sufficient to outweigh any harm identified as being contrary to the policies contained in the adopted Development plan.

Affordable housing is and has been recognised as a material consideration. It has been identified that the site would provide for 7 units of affordable housing on site. These are understood to be 7 of the two bed units which in principle are considered to be acceptable by the Council's Housing Specialists (People).

Two of the dwellings would be required to be Intermediate (Discount for sale) properties with the remainder for rent. All of the above would need to be the subject of a S106 legal agreement if permission was granted. This would be compliant with Policy SP3 of the Local Plan Strategy and is a benefit of the scheme.

Overall however taking into account the policies contained in the plan when read as a whole it is considered that there are clear cut policy objections to the submitted scheme which are not outweighed by the material considerations put toward by the applicant.

Landscape Impacts

The site is located to the north side of the B1257 east of the main part of the village. The site is immediately adjacent to the main road and is in a conspicuous location. The site is considered to form part of a significant open space between Amotherby and the adjacent village of Swindon. Aside from Eastfields, an outlier of former Local Authority housing, the general character of the countryside is one of open undeveloped farmland.

The site frontage is marked by an established hedgerows and mature boundary trees which are also a prominent feature locally in the street scene. Two of the frontage trees are proposed to be removed in order to make way for the estate road access into the site. The road would be constructed to adoptable standards and provides access to two rows of properties which are laid out parallel to the B1257.

The site levels fall away in a south north direction which in part results in the dwellings proposed to the rear of the site be less visible and partially screened by those dwellings proposed nearer to the site frontage. The development of the site as proposed would however result in a permanent change to the appearance of the site which is considered to be significantly detrimental to the visual amenity of the locality. In the light of this assessment the proposal is considered to be contrary to Policy SP 13 Landscapes and the character and form considerations of Policies SP16 and SP20.

Impact on trees

The run of significant trees on the site frontage include 7 Sycamore and 1 Ash, estimated to be between 80 & 100 years old. All have substantial Ivy growth. The proposed access would require the removal of two Sycamores which are category B and C in the submitted assessment document.

Ecology

There are no protected species recorded at the site. However the large trees and hedgerows provide for bat foraging and potential roost habitat. Trees to be felled would require further inspection and survey. However Biodiversity enhancements are proposed to include bat and bird roosts and nests into the development. Replacement of lost habitat is also proposed by additional planting if planning permission is granted. Appropriate conditions would need to be imposed to ensure that these are delivered as part of the development proposed.

Heritage Impacts

The application has been accompanied by a Heritage Statement and also further information in respect of archaeological matters.

The Councils Conservation Specialist has no objection in relation to the impact of the development on heritage assets near to the site and raises no objection.

NYCC Heritage Services have appraised both the geophysical survey and the results of a trial trenching report and note that there were no features or finds. As a result there are no further comments or requirements in respect of archaeological issues.

Highway Safety Matters

As discussed earlier in this report the site proposes an estate road onto the B1257 which serves as the point of access for all of the dwellings proposed. None of the dwellings have a direct vehicular access onto the main road. Each of the three and four bed dwellings are provided with at least two off road car spaces. The indicative layout shows also shows 16 communal spaces for the 8 two bed dwellings with a further 3 visitor spaces adjacent to the main spine road. The footpath running across the site frontage is proposed to be diverted into the site and provided at 2 metres in width. A detailed specification of the footpath construction would be required in order to make adequate provision for tree roots in this part of the site.

The latest road layout plan and revised soakaway calculations submitted on 24th November 2017 and show on drawing Number Hum/418/02/12K are considered by NYCC officers to be acceptable for both access and layout reserved matters as part of the outline permission that is being sought. If permission is granted conditions are recommended to include detailed plans of the roads and foot ways, provision of roads and foot ways prior to occupation of any of the dwellings, discharge of surface water, site construction access, pedestrian splays, detail and provision of access, parking and turning areas, construction management plan and garages to be retained and used for no other purpose.

Drainage

The application has been the subject of consultation with Yorkshire Water, the Environment Agency , the Lead Local Flood Authority and the local IDB.

In terms of foul water provision Yorkshire Water require a condition to be imposed to ensure that any surface water is not discharged to the foul sewer network. The Environmental Agency and Vale of Pickering IDB both have no objection to IDB noting that Sustainable drainage systems are to be used to deal with surface water from this site.

The Lead Local Flood Authority have confirmed that the application has provided rigorous information in respect of the design of its surface water management. This has included modelling for 1 in 30 and 1 in 100 year rainfall events with calculations including an allowance for 'urban creep'. A plan showing exceedance routes has also been submitted.

Design and Layout

The character of development to the north side of the B1257 (where it does exist in the vicinity of the site) shows development in depth rather than typically the more linear form of detached dwelling seen on the opposite (south) side of the B road. Eastfield is comprised of 14 properties which are either semi-detached or 'ink' semi-detached. Together they give the appearance of a relatively dense group of buildings which is reflected in the proposed layout plan. The application proposes twenty semi-detached properties of varying sizes and the mix is generally considered to be acceptable. The 8 two bed units are shown as two pairs of 'linked' semi-detached properties which has a terracing effect on the site's frontage. However this is considered to be similar in design approach to the adjacent Eastfields development in terms of its visual density.

The reserved matters of appearance and scale do not form part of this outline application. However on the basis of the submitted plans officers are confident that the outline proposal satisfies Policies SP4, SP16 and SP20 insofar as they relate to design and layout considerations.

Noise

As originally submitted the Noise Assessment was based on only one monitoring position on the western boundary of the site. At the one location the Council's Environmental Health Specialist considered that the monitoring failed to fully represent conditions on the whole site and particularly those dwellings on the site frontage which are most likely to be affected by road noise and the traffic and operations associated with the Malton Foods site opposite.

The results that were submitted also showed levels above the Councils required standards for internal noise limits for residential properties and also for external amenity spaces.

In response a further noise survey has been submitted and considered by the Councils Specialists. The supplementary noise assessment dated 24th November shows readings taken from a different location. These show greater noise attenuation however the report still show exceedances in relation to internal noise levels when windows are partially open. The supplementary report also refers to the relocation of the houses further away from the road. There is lack of clarity and the results from both the revised and original assessment remain a concern. Based on the two Noise assessments the Specialists have concluded that they cannot support the proposal.

Other Matters

Designing out Crime

The Designing Out Crime Officer has assessed the outline application and made some advisory comments at this stage. In conclusion no objection is raised however a planning condition is recommended if outline planning permission is granted to detail the crime prevention measures to be incorporated into the development.

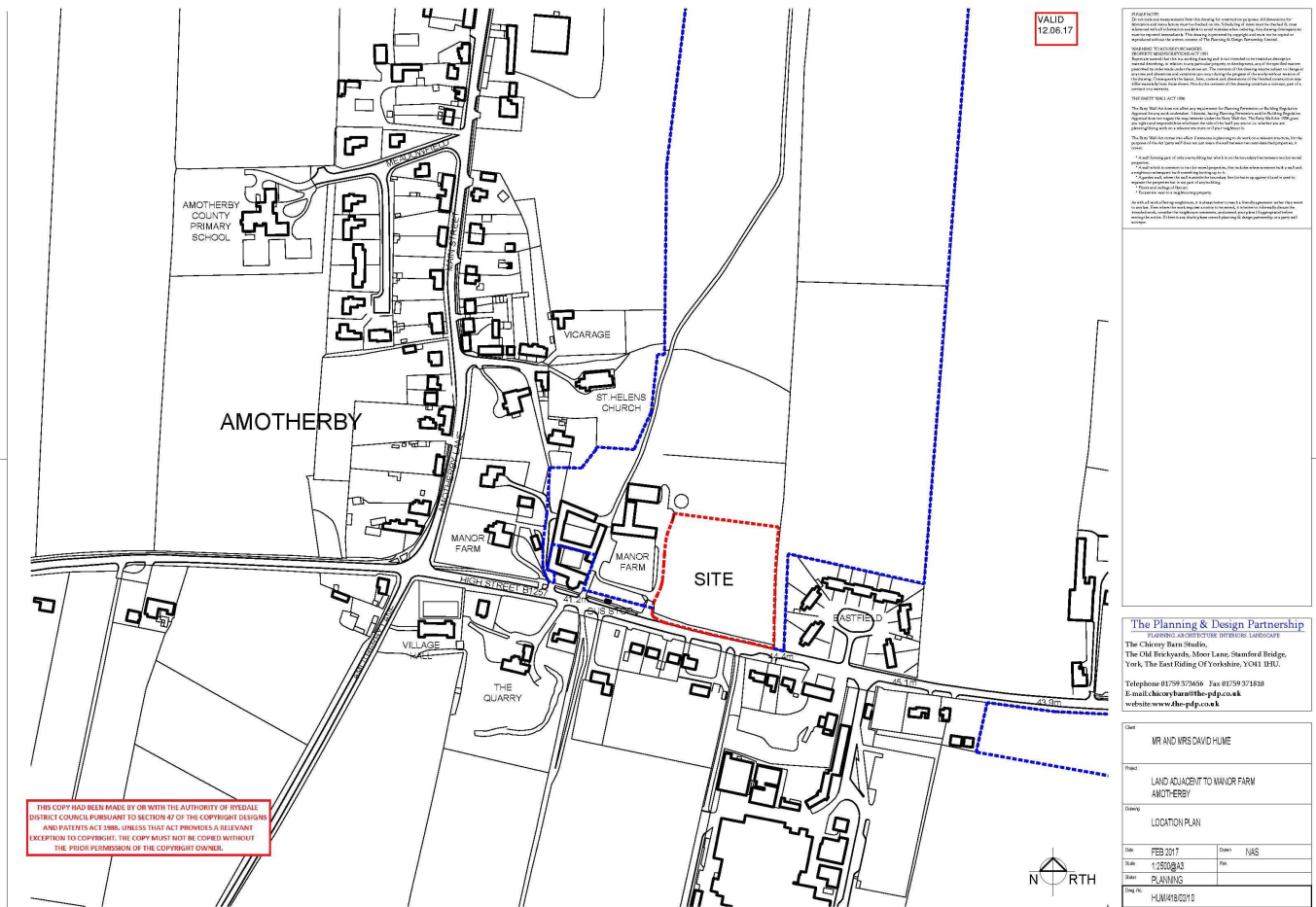
Third Party Comments

The Parish Council comments received are appended to this report in full for Members information. The initial comments were considered by officers to be unclear and the Parish letter of 14th September clarifies their support for the application.

The key issue in response to the Parish Councils comments relates to the matter of principle rather than to the detail of the scheme. In this case the Council has chosen an alternative 'preferred' site for the village for the reasons set out earlier in this appraisal section of this report, having applied the site selection methodology.

RECOMMENDATION: Refusal

- 1 The proposed development would result in a significant adverse effect on the form and character of the village of Amotherby beyond the identified settlement limits for the village as set out in the Ryedale Plan Local Plan Strategy adopted 2013. The development of this site would be detrimental to the character and appearance of the open countryside between the villages of Amotherby and Swinton to the detriment of the visual amenities of the locality. The proposal is therefore contrary to the requirements of Policies SP 13, SP 16 & SP 20 of the adopted development plan.
- 2 The proposed development would fail to make adequate provision for the amenities of the future occupiers of the dwellings proposed by virtue of excessive noise levels that would be likely to be experienced within the dwellings. The proposal is therefore contrary to this aspect of Policy SP 20 of the adopted Ryedale Plan Local Plan Strategy 2013.
- 3 The proposed development would not compliment the site allocation identified at the Service Villages to meet the outstanding housing requirements identification in the Publication of the Local Plan Site Document. Approval of this development would be in conflict with the emerging Local Plan Sites Document.



VALID
12.06.17

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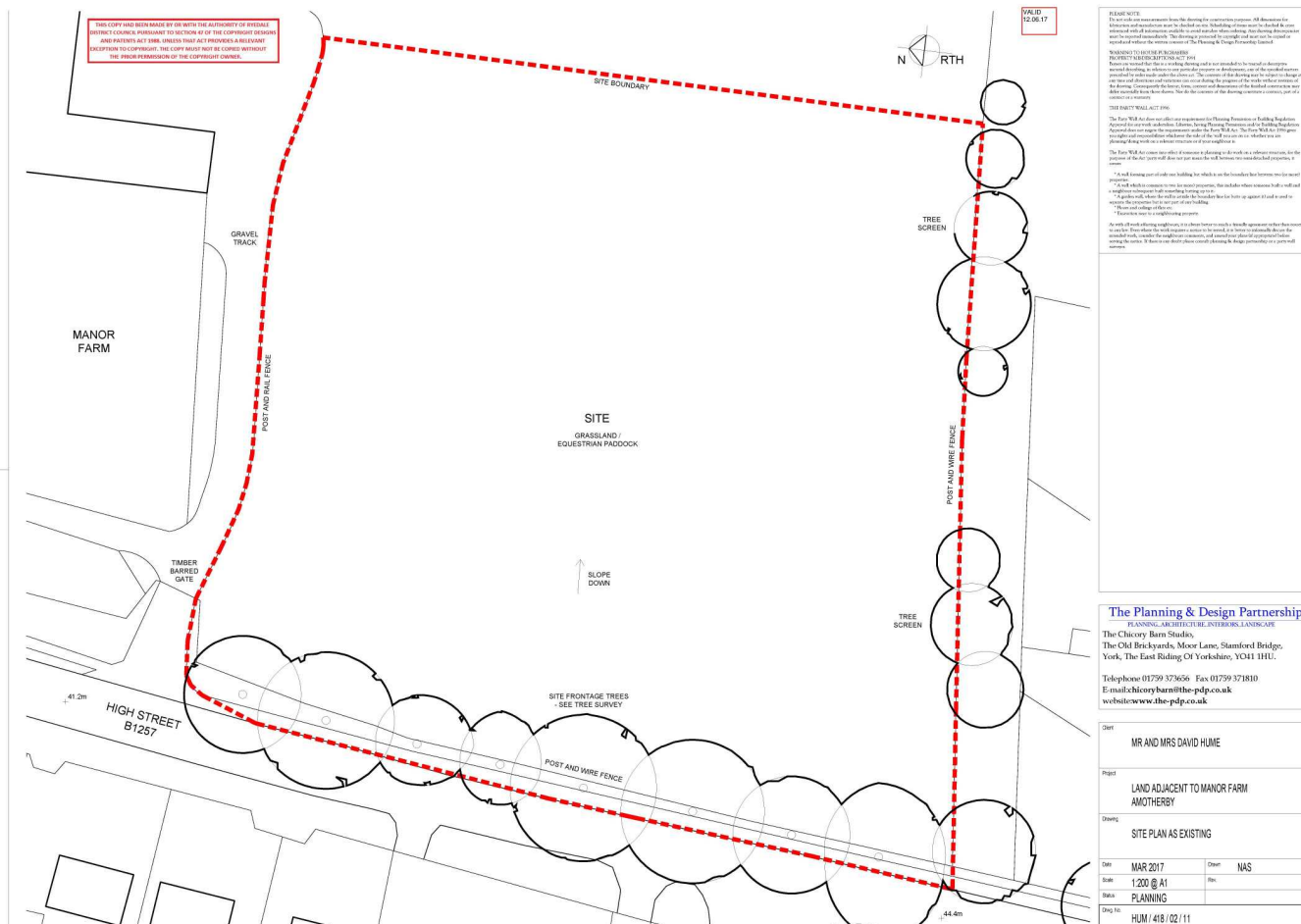
NOTES
1. The site is shown as a red outline on the map. The site is located in the Amotherby area, near the A63 road. The site is shown as a red outline on the map. The site is located in the Amotherby area, near the A63 road.

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Email info@the-pdp.co.uk
Website www.the-pdp.co.uk

Client	
MR AND MRS DAVID HUME	
Project	
LAND ADJACENT TO MANOR FARM AMOTHERBY	
Location	
LOCATION PLAN	
Date	2 FEB 2017
Scale	1:250 @ A3
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Check by	PLANNING

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^a A wall forming part of only one building but which is on the boundary line between two or more lots.

² A garden wall, where the wall is visible the inventory base (or burns up against it) and is used to measure the perimeter but is not part of any building.

* Exclusion must be to a neighbouring property.

strategy If there's any doubt, please consult a branding & design partnership or a print wall strategist.

REVISED PLAN

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FLOWING INTO SITE
HOUSE LEVELS AMENDED TO SUIT EXCEEDANCE ROUTES
ADOPTED ROAD AREA EXTENDED EASTWARDS NOTE ON RESIN
BOUND GRAVEL REMOVED

H	ROAD DRAINAGE ADDED	NOTES ON ADOPTION ADDED	13 11 2017	MAG
G	LEVELS ADDED	TEALRE ADDED	13 10 2017	MAG
F	HOUSING PLOT REPS ADDED	APPROACHABLE NUMBERS ADDED	13 10 2017	MAG
E	EXTRA PARKING TO 2 BENS	APPROACHABLE HOUSES MOVED BACK		

FROM ROAD BY OVER 4" AND FRONTAGE EDDGES WIDENED AND
HEIGHTENED TO SCREEN FROM ROAD NOISE. SHEDS ADDED TO
2 BEDS GARDENS

DATE	DESCRIPTION	AMOUNT	BALANCE
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07/04/2017	MAINT	100.00	200.00
07/04/2017	MAINT	100.00	300.00
07/04/2017	MAINT	100.00	400.00
07/04/2017	MAINT	100.00	500.00
07/04/2017	MAINT	100.00	600.00
07/04/2017	MAINT	100.00	700.00
07/04/2017	MAINT	100.00	800.00
07/04/2017	MAINT	100.00	900.00
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07/04/2017	MAINT	100.00	1100.00
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07/04/2017	MAINT	100.00	7200.00
07/04/2017			

A	HOUSE STRIPPER ADDED, DRAINAGE AND SURFACE WATER	10.03.2017	MADE
B	2ND DETACHED HOUSES CHANGED TO SEMIS, POOL DRAINAGE	21.03.2017	MADE
C	HOUSE STRIPPER ADDED, DRAINAGE AND SURFACE WATER	27.04.2017	MADE

NAC-B

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MR AND MRS DAVID HILME

THE NEW YORK PUBLIC LIBRARY

Project

LAND ADJACENT TO MAJOR FARM

AMOTHERBY

Drawing

SITE PLAN AS PROPOSED

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PLANNING	

Drug No. HUM/418/02/12K

Page 72



1:1000 Scale

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Client	MR AND MRS DAVID HUME		
Project	LAND ADJACENT TO MANOR FARM AMOTHERBY		
Drawing	EXCEEDANCE FLOWS		
Date	MAR 2017	Drawn	NAS
Scale	1:200 @ A1	Rev	
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DESIGN AND ACCESS STATEMENT

VERSION 1

for a
HOUSING DEVELOPMENT
at
LAND EAST OF MANOR FARM, HIGH STREET, AMOTHERBY,
MALTON, NORTH YORKSHIRE, YO17 6TG



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CONTENTS

	Page
1 INTRODUCTION	3
2 DESIGN STATEMENT	4
USE	
AMOUNT	
LAYOUT	
SCALE	
APPEARANCE	
LANDSCAPING	
3 ACCESS STATEMENT	9
4 UTILITIES AND SUSTAINABILITY	11
5 FLOOD RISK STATEMENT	12

VERSION INFORMATION

VERSION	ISSUE DATE	BY	REVISIONS
1	16/05/17	NS	

1 INTRODUCTION

This design statement has been prepared generally in accordance with the requirements set out by DCLG Circular 01/2006 – Section 3. The appraisal follows some of the process advocated by the CABE Guide to good practice. It should be read in conjunction with the attached Planning Statement.

The application is for an **Outline Application** to develop a vacant green field site, situated on High Street in Amotherby, for twenty new houses.

The **Reserved Matters** are Appearance and Scale.

APPLICANT

David Hume
Manor Farm
Amotherby Lane
Amotherby
Malton
North Yorkshire

AGENT

Nigel Stutt
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Tel: (01759) 373656
Email: nigel.stutt@the-pdassociates.co.uk

2 DESIGN STATEMENT

USE

The site will be developed for residential use. Presently the site is a green field, vacant piece of grassland adjacent to Manor Farm presently used as an equestrian paddock. It is situated in the small village of Amotherby in the Ryedale district of North Yorkshire. The site borders High Street, the main road that runs east-west through the village. The site is outside of the village's development limits. See Image 1 below.

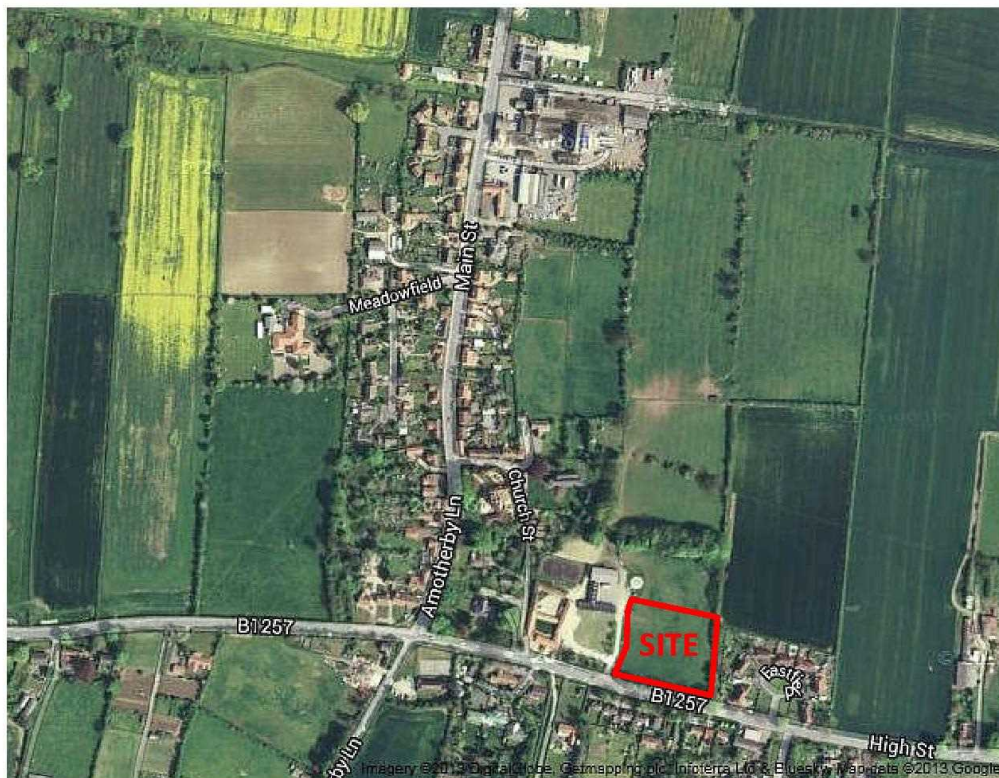


Image 1 – Aerial view of Amotherby

AMOUNT

The proposal is for twenty new houses with associated driveways, gardens and combined bin stores/garden sheds.

The total area of the site is 7,877m².

Eight houses will be semi-detached two storey, three bedroom, five person houses. Four will be semi-detached two storey, four bedroom, six person houses. Eight will be terraced two storey, two bedroom, four person houses. Also to be provided will be a new 5m wide shared surface access road accessed via a newly formed junction on High Street.

LAYOUT

The houses will be arranged around a shared surface access way. The front houses will sit behind a line of mature trees, two lesser trees of which will need to be removed to form the access road. These houses will present an accessible frontage for pedestrians using a new gravel path on High Street, the new footpath being located to the north side of the trees, thereby moving it away from the main road.

Four houses to the front area of the site will be dual aspect, with vehicular access from the back, single garages, and two parking spaces each. The smaller terraced houses here will have a communal parking area to their rear with 1.5 spaces per house. Refuse and recycling collection will also be accessed from the back of these houses, with refuse vehicles using the turning head.

The rearmost line of houses will be more conventionally arranged with driveways to the front and bins at the rear, accessed from the shared surface. Two parking spaces are provided to each of these houses, including single garages.

A 5m wide tarmac adoptable standard access road will lead to a 21m turning head. Beyond the turning head the road will narrow either side to 3.5m and form private shared drives to the dwellings with car turning spaces at the ends of these narrower roads. The idea of the reduced road width is to lower car speed and create a rural community feeling to the development.



Image 2 – Site frontage along High Street

It is intended to retain the strong tree line along the High Street and add new hedges and barred timber gates to reflect the rural nature of the surrounding land.

The private front garden area of each house will be surrounded in hedges. Rear gardens will be surrounded by 1.8m close boarded fences for privacy and security.

In terms of security the proposed dwellings will arranged, and will be internally designed, to provide mutual supervision of the frontage using mid height hedges to the front gardens, front lounges in the houses themselves, and open timber gates. The rear access road will be kept as an open space and well lit using a good level of energy efficient external lighting. The distinct entrance gate feature at the start of the site will act as a visual border to the property to dissuade antisocial access by non-residents. This provision of distinct borders with well-defined public and private space should discourage antisocial behaviour.

All the above is in accordance with Safer Places – the Planning System and Crime Prevention 2003 in terms of providing sustainable dwellings, natural surveillance, and provision of suitable security measures and enclosure to the housing plots themselves.



Image 3 – Proposed site layout

The new houses will also be constructed in accordance with Part Q of the Building Regulations which relates to external door and window security.

SCALE**Reserved**

See the attached site layout drawing for the scale of the dwellings.

APPEARANCE**Reserved**

In principle, the style of the proposed dwellings will be typically English vernacular, intended to be sympathetic to the local character and continue the theme of pitched pantile roofs, brick or rendered walls, with white uPVC double glazed windows and doors.



Image 4 – Cottages in Amotherby near church

LANDSCAPING

See the attached landscaping scheme for detailed landscaping proposals.

The proposed scheme will include the retention of most of the existing mature trees except those located close to the proposed entrance to the site. The houses are all to be set far enough back to ensure that the existing trees and houses are protected from damage.

The boundaries between the properties will be a mixture of hedging to the front and timber fencing to the rear, with planting adjacent to the fences to soften them.

The plots will have gravelled access drives. Front gardens will be partially grassed lawns and partially planted as shown in the attached scheme. Rear gardens will be mostly grass lawn with an area of porous paved patio and a porous paved pathway to the bin store and shed.



Image 5 – Modern housing in Amotherby

3 ACCESS STATEMENT

The vehicular access to each housing plot will be via the adopted shared surface drive via a new junction on High Street. High Street is a 40mph road at this location and as such it is planned that the junction will require a 2m x 120m sightline. This is achievable and has been indicated on the site plan, it is thought that the trunk of one nearby mature tree to the east of the new junction may very slightly clip this sightline.

The site is located along High Street in the centre of Amotherby. The new access road will be 5m wide with a 24m turning head and will narrow to 3.5m wide private shared drives further away towards the last houses. Car turning heads will be provided at the two ends of the private shared drive.

A new 2m wide footpath will be provided on one side of the access road terminating at the shared surface when pedestrians will expect to transverse onto the road. This is in accordance with good highway design to slow cars down and create an equality in priority between vehicle and pedestrian. A new footpath will also be constructed along the front of the site, behind the mature tree line, to replace the existing narrow footpath adjacent to the 40mph High Street. This is to provide safe pedestrian access to the front of the houses.

The site slopes down to a fair degree from a high level at High Street down towards the back of the site.



Image 6 – Site view looking southeast from Manor Farm towards High Street trees

The houses' vehicular access will be off the interior shared surface drive using new gravelled level drives to the rear of each house which will include parking provision for at least two parked cars. An accessible porously paved path will be provided from the rear gates to the rear door of the houses, including access to the bin stores located in the rear gardens.

Refuse and recycling storage has been provided in each dwelling by allowing for three bins in a bins store located at the rear of the properties.

Facilities provided in Amotherby within walking distance from the site include: Amotherby County Primary School, Village Hall, St Helens Church, a cricket ground and tennis court, and the Queen's Head public house.

Amotherby lies about 3 miles west of Malton roughly midway between York and Scarborough. Buses go to Malton and Pickering on a roughly 2 hourly schedule, with a bus stop situated on High Street on the western corner of the site.

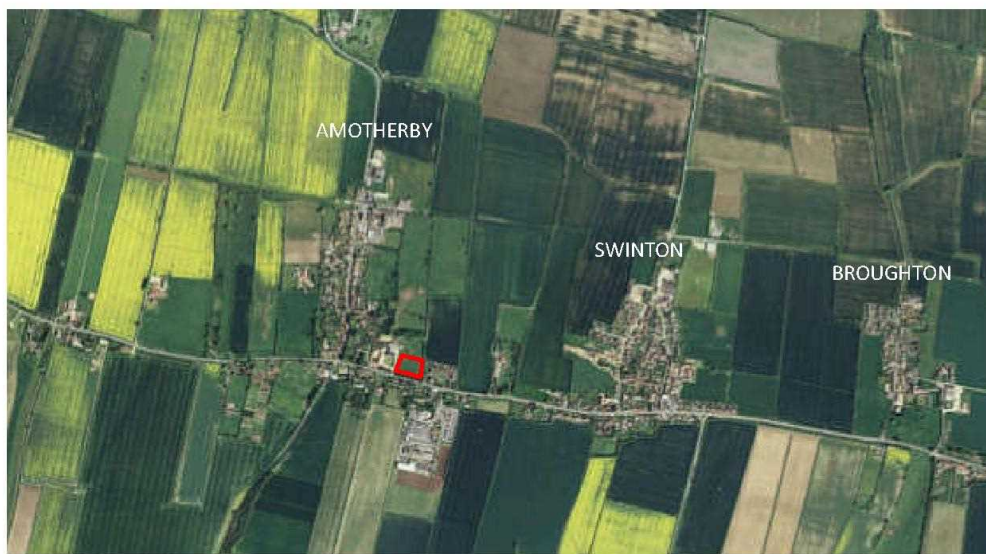


Image 6 – Amotherby aerial view

Emergency access for fire-fighting would be from the shared driveway, which is less than 22m from any of the dwellings. Suitable turning for fight-fighting vehicles has been provided by a 24m turning head. The houses will be designed internally in accordance with Part B of the Building Regulations Approved Documents 2013, regarding fire safety, and Part M, regarding accessibility.

4 UTILITIES AND SUSTAINABILITY

Services connections will be finalised during later design stages but the intended strategy for these is as follows.

FOUL WATER DRAINAGE

A new foul water sewer will be installed under the new access road, running to an existing foul sewer that crosses over the rear of the site.

SURFACE WATER DRAINAGE

New paving and driveways locally to houses will be porous throughout to reduce surface water runoff. Surface water from houses will be drained using soakaways under the gardens which will be sized by a specialist following a series of infiltration tests. Surface water from the roadway will be directed to a SUDDS system to specialist design - likely located under the roadway. Surface water will be attenuated if required by Yorkshire Water and the Council's drainage department.

WATER SUPPLY

A new supply pipe will need to be brought from High Street. All water fittings to houses will be aerating/water saving, toilets will be provided with dual flush cisterns.

GAS

There is no mains gas in the village. The new houses would employ electric ovens out of preference. Tenants could employ LPG or oil tanks if desired.

ELECTRIC

A new electric supply cable will be brought from High Street. Sockets and light switches in houses will be sited to accessibility standards. All lighting will be low energy.

TELEPHONE

A new underground cable will be brought from High Street. Houses will be provided with a main phone socket near the television point for use with smart televisions and an extension socket to the upper floor main bedroom.

BROADBAND

The site has no present fibre broadband availability, broadband provision would be via phone lines.

SUSTAINABILITY

Wood burning stoves may be offered as a preference to gas fires. External wood storage shelters would be provided in that case. Houses will be constructed to be highly sustainable with thermal fabric above current Building Regulation requirements. A sustainable means of space heating will be explored. Houses will be provided with roof mounted solar panels for electricity. A 'whole house' energy strategy will be adopted utilising passive solar gains and natural ventilation where possible, considering limits on the orientation. Dual aspect units improve the quality of daylight and sunlight which is the case in this instance. The north-south aspect of the dwellings combined with the positioning of them as far away from the existing mature trees as possible will help mitigate any significant overshadowing.

5 FLOOD RISK STATEMENT



Image 7 – Fluvial Flood Risk Map

This development, being new residential, is classed as being 'More Vulnerable'.

The area flood risk map above, provided by the Environment Agency website, indicates that the site is in Flood Zone 1. There is no or very low risk of fluvial flooding, and therefore no need for a flood risk assessment to be provided:

Flood Zone 1 - land assessed as having less than 1 in 1,000 annual probability of river flooding (< 0.1%)

AMOTHERBY PARISH COUNCIL

Clerk to the Council:-
Mrs Sammie Brambles
Tel: Malton (01653) 695745
E-mail: clerk@amotherby-pc.gov.uk

'CARPENTERS CROFT'
AMOTHERBY, MALTON
NORTH YORKSHIRE, YO17 6TG

14th July 2017

Development Management Team
Ryedale House
Old Malton Road
Malton
YO17 7HH

Application 17/00645/MOUT - Land East of Manor Farm, Amotherby

Residential development of 20no.semi detached dwellings and formation of vehicular access (site area 0.79ha) -approval sought for access and landscaping

Dear Sir/ Madam

The PC considered this application at our meeting on Mon 10th July. We are concerned with the lack of progress with the Local Plan and therefore find it difficult to give an informed view.

That said, although this site is outside the current development limits of the village it was one of the sites (Site 635) that was recognised by residents at the Public Meeting held on 1st December 2014 as having potential for development and received less resistance to development than other potential sites, having the advantage of access direct from the B1257.

We refer you back to the Parish Council's comments on pgs.3 &4, statistics from the Parish Plan revision on pg.5 re. house sizes required, and Residents comments from the Public Meeting on pgs.11, 12 & 14 of the "Amotherby Parish Council Submission to Ryedale District Council on LDF Sites in Amotherby, December 2014" and in addition to "Response from Amotherby Parish Council, Dec 2015 on Sites Consultation—Local Plan Sites Document and SSM", particularly comments on this site on pgs.6 &7. These documents should be within your records.

Yours faithfully

Sammie Brambles
Parish Clerk on behalf of Amotherby Parish Council

AMOTHERBY PARISH COUNCIL
SUBMISSION TO
RYEDALE DISTRICT COUNCIL
ON LDF SITES IN AMOTHERBY
DECEMBER 2014

Contents

Page 2-4

Page 5-8

Page 9-10

Page 11-15

Parish Council submission and comments on sites

Appendix 1—Parish Plan questionnaire results & comments

Appendix 2—Minutes of Public Meeting held on 1st December

Appendix 3—Residents comments on Sites from Public Meeting

Amotherby PC submission to RDC LDF team on site selection in Amotherby

A questionnaire for the purpose of updating the Parish Plan was sent out in October 2014 and the results pertaining to housing and future development in Amotherby are attached as Appendix 1.

A Public Meeting was held on 1st December, all houses in the Parish having received an invitation to attend. Residents were told how far the site selection process had progressed so far and invited to give their views on the sites verbally or in writing, or to send email comments by the following night. These would be taken into consideration in the PCs discussions to formulate the PC comments to RDC.

The general feeling of the meeting was that the residents of Amotherby are still concerned that they have been joined with Swinton to form an artificial community capable of being designated a service village. The community would prefer no major development over and above the local need or a small development and suggest the much more sustainable location of Malton, only 3 miles away, should be capable of accommodating 30 more dwellings.

Having said that, if Amotherby is to accommodate a larger housing scheme/development, then it is only fair that the allocation is split between Amotherby & Swinton. This issue was brought up at the Public Meeting when through a show of hands it was agreed that the community would only accept up to 15 dwellings, the remainder going to Swinton. While this may appear divisive this is a result of the invidious position the District Council have put us in.

The Minutes of the meeting, including verbal comments, are attached as Appendix 2.

Written & email comments received are attached as Appendix 3.

At the Parish Council meeting held on 8th Dec Cllr. Mrs Skilbeck & the Clerk declared interests in one of the sites and left the room, taking no part in the discussion or decisions of the Parish Council.

The Parish Council has the following comments to make on the sites (in numerical order):-

Site 8 – Station Farm field

1. The submitted site plan appears to indicate the existing Station Farm house & outbuildings would be demolished. This house dates to about 1860 and is a very important part of the character and street-scene of the village.
2. The site is very close to BATA mill, from which there is considerable noise from 6am to 10pm and sometimes continuing until midnight or later. Houses in Church Street can hear this clearly and complaints would be very likely if developed.
3. The whole site is too large and if all used would extend the village too far east.
4. There are problems with running sand in some parts, if not all, of this field. A deep hole appeared overnight when the foundations for Cornwell House were being dug, which resulted in the house having to be built on a concrete raft. This sand area continues across the road & caused houses where the entrance to Meadowfield now is to collapse when the drainage when put into the village in the 1950s.
5. Potential access to the site is narrow (unless Station Farm demolished) and would be in close proximity to Meadowfield, potentially creating great traffic problems at peak journey times.
6. There was a proposal in 1989 to develop this field (application 3/5/62/OA), which in Nov. 1989 was held in abeyance. After discussions between RDC, the Parish Council and the then owner it was eventually withdrawn, we believe in Oct 1993.
7. There may be important archaeology on the site. A resident remembers seeing a photo showing crop marks indicating a large building (possibly Roman villa). See also Google Earth.
8. The development of this site would extend the linear form of the village to the east. This would be contrary to its character and have an adverse impact of the setting of the listed church to the south.
9. Public comments expressed total opposition to development on this site.

Site 61 - Bentleys Garage

1. Site is an old quarry and has been used as a dumping ground for many years, potential of soil pollution.
2. Overshadowed on the south boundary by tall trees, steep slope and Westlers factory.
3. Noise problems
4. Application for housing development turned down in 2003 (03/00390/OUT) & 2006(06/00960/OUT). When taken to Appeal (APP/Y2736/A/06/2027637/NWF) dismissed by Inspector.
5. Development of this site would not add to congestion in the Main Street.
6. Given public comments it may be time to revisit the potential development of this site.

Site 148 – field south of the school (King's field)

1. The whole site is too large, but use of the lower flatter (northern) part would potentially give some benefit to the village.
2. The Roman road runs across the southern end of the field, not far below the B1257.
3. Access onto the B1257 at the south of the field, although initially attractive, could be problematic as the slope here is steep and would cause problems in winter conditions.
4. The development of this site would only be viewed as appropriate if it is accessed off the B1257, with a new access to the school provided. This has the advantage of not adding new traffic in High St/Main St. and would deflect school traffic away from the centre of the village. If RDC were to allocate this site the PC would want assurances that:-
 - a) access could only be off the B1257,
 - b) vehicle access to the school via Meadowfield would be closed off,
 - c) negotiations take place with the Education Authority with a view to providing an adequate (parent) car park for the school,
 - d) mechanisms would be put in place to ensure school parking/dropping off/picking up could not occur in Meadowfield, Cherry Tree Walk & Main Street.
5. Public comments expressed some support.

Site 181 - opposite BATA oil & gas depot

1. Far too close to oil & gas depot for safety.
2. No support from the Public Meeting.
3. Noise problems.

Site 371 - Westlers factory

1. Existing working factory.
2. Public comments expressed opposition.

Site 381/612 - Pump House

1. Could accommodate 1 house without detriment as there are existing buildings here.

Site 635 – field west of Eastfield, east of Manor Farm

1. Roman road crosses this field towards the southern boundary. Its line can be seen on the ground by the remains of a ridge and ditches.
2. Access direct onto the B1257 is potentially good, but this currently has a 40mph limit which is often exceeded. The pavement here is narrow and right beside this fast stretch of road.
3. The site is relatively close to Westlers (Malton Foods) with its associated noise problems.
4. Development of this site would not add to congestion in the Main Street.

Site 636 - opposite Lime Kiln Farm

1. Would join Swinton and Amotherby together.
2. Within AONB boundary.

Conclusions

The adopted Local Plan Strategy states :-

(para 3.34) that development should be “used to meet the specific housing needs of local communities”.

(SP1 pg.30) sites should :-

- avoid adverse impacts of interests of acknowledged importance
- be accommodated without detriment to the character of the settlement and its setting.

(pg 53)—service villages—sites should be distributed as far as possible, amongst all villages in the category

A large number of houses would be too large a percentage increase in the village size to be assimilated in one go. More than 15 would be greater than a 10% increase.

Previous developments have been below 15:- Eastfield 14, Meadowfield/Cherry Tree Walk 10 and Seven Wells 12.

We therefore expect :-

- that development should incorporate houses to meet local need.
- that sites chosen should fit in well with the existing village.
- that Amotherby should have to have a maximum of 15 houses allocated and that Swinton should expect some additional development.
- that development will not add to traffic problems in the village

Appendix 1

Amotherby Parish Plan revision 2014—questionnaire results regarding housing and development.

During the first week of October a questionnaire was distributed to households in Amotherby parish for the purpose of updating the parish Plan produced in 2009.

The parish includes a total of 153 houses of which only 123 are situated in the village itself. High Street/Main Street and roads off these contain 78 and the remaining 45 lie along the B1257. The rest are in three outlying areas—Hildenley and part of Easthorpe (14), isolated farms and dwellings north of the village towards the River Derwent (7) and 9 adjoining Appleton-le-Street.

As we thought that residents of the outlying areas may have different opinions to those that live in the village itself the results have been analysed three ways :- village, outliers and whole parish.

The statistics regarding housing and future development are given in the table below.

<u>Distribution and return information</u>	Village	Outliers	Whole Parish
Number of dwellings	123	30	153
Number of houses empty :- for sale/to let/under repair	5	1	6
holiday cottages/homes	3	1	4
Number where resident declined to take	4	3	7
Number of questionnaires distributed	111	25	136
Number of questionnaires returned completed	93	17	110
Percentage return	83.8%	68%	80.9%

Statistics from questions re. housing

Number of responses & percentages of these

		No.	%	No.	%	No.	%
Q24 Would any member of your household directly benefit from the availability of local affordable housing, now or within the next 5 years?	Yes	18	20.5	2	13.3	20	19.4
	No	70	79.5	13	86.7	83	80.6
Q25 Would you be in favour of a small development of affordable homes for local people within the parish if there was a proven need?	Yes	67	76.1	9	60.0	76	73.8
	No	21	23.9	6	40.0	27	26.2
Q26 Would you be interested in the local authority undertaking a Housing Needs survey in Amotherby?	Yes	46	55.4	5	33.3	51	52.0
	No	37	44.6	10	66.7	47	48.0
Q31 How many new houses would be acceptable to you? Please tick one box	None	16	19.0	6	42.9	22	22.5
	1 – 5	17	20.2	2	14.3	19	19.4
	6 – 10	22	26.2	4	28.6	26	26.5
	11 – 15	10	11.9	1	7.1	11	11.2
	over 15	19	22.6	1	7.1	20	20.4
Q32 Should any development be phased over several years?	Yes	53	73.6	6	46.2	59	69.4
	No	19	26.4	7	53.8	26	30.6
Q33 If we have to have houses built what size should they be? If a mixture please tick all that you would agree with.	2 bed starter	62	32.6	6	27.3	68	32.1
	3 bedrooms	59	31.1	7	31.8	66	31.1
	4 bedrooms	22	11.6	5	22.7	27	12.7
	Bigger	5	2.6	1	4.5	6	2.8
	Bungalows	42	22.1	3	13.6	45	21.2

Conclusion

Majority of residents

- want fewer than 10 houses, although support for more
- want 2/3 bedroom properties & bungalows, not large houses
- want houses for local people, for which there appears some need

COMMENTS RE. HOUSING & DEVELOPMENT FROM PARISH QUESTIONNAIRE, OCT 2014.

FROM VILLAGE RESIDENTS

31. No. of houses

- Not sure, it would depend on where development was.
- Don't believe the village could support more—insufficient infrastructure.

33. Size of houses—other

- Pensioners bungalows

34. Extra comments on housing & future developments in the parish.

- Services in Malton area need to match increase in housing.
- Full consultation with those potentially affected is essential before any development is approved.
- Keep it to a minimum.
- It depends on where the buildings are to be placed. Providing common sense is used the more housing the better.
- Farmland (greenbelt) should not be used for development. Limit to infill sites only.
- Should grow slowly, houses in keeping with rest of village. Large development of town houses will spoil the village. People live in a village because they like village life. Building hundreds of houses between Swinton & Amotherby would make a small town & we would want to move. Transport is too poor, no work opportunities, no infrastructure, school too small, add more commuting traffic spoils villages.
- My major concerns would be extra traffic through the village & the capabilities of the sewer system & electrical infrastructure to cope with new development.
- I think the village would be spoilt & with all the proposed development in Malton & Norton is it really required?
- Not too many houses.
- Ensure any future houses are built on sites that stay within the present village boundary. No greenfield sites needed.
- If future housing is allowed a park/play area for the village should be part of the deal.
- Local sewage system is overloaded now & has been for the past 30+ years, this has in the past stopped further development. Sewage system damaged & has been for past 10-20 yrs & has never been repaired.
- We would be in favour of a small development but would be concerned about anything large due to the school becoming too full, impact of extra traffic, possibility of spoiling walks & the pretty views.
- More housing should have adequate % age of affordable houses for local people, but prior to that provision all roads should be upgraded to accommodate any additional traffic.
- Don't want Amotherby to become a town.
- Concerns for extra housing is where these new houses would be located. Also road safety & access could be a potential issue.
- When negotiating with housing development companies what can they offer the village? ie. cricket/football field.
- All development should be on brownfield sites.
- We are an unserved, congested village with traffic & parking problems. Limited employment opportunities. Amotherby cannot fruitfully support more population.
- Only on brownfields.
- Any new housing has to have regard to access onto the highway such as Main St., to avoid congestion.

- Most of the houses in Amotherby have had added extensions resulting in larger & more expensive properties. There is very little room for infill anywhere. Where is there a site that would be suitable for a small development, apart from King's field?
- Drainage unless massively updated would not cope with more houses. The school does not have the capacity to accommodate more families and it would increase traffic.
- I think only affordable starter houses for local people should be built!!!
- We feel that Amotherby & Swinton are full enough already & would be spoiled by any further development.
- I have no objection to 20-30 houses more in villages (both). It would be good for local business & may bring new opportunities. As long as the schools can service extra children/traffic.
- A SMALL development at Bentley's Garage site would be good—but houses with gardens & space to enjoy, not all crammed together.
- School & too much traffic now, also parking in the street.
- Would appreciate details of aforementioned protests. Housing is a countrywide issue requiring everyone to become involved—at the same time a community being able to maintain its integrity is paramount but does not require instant dismissal of future housing projects!
- Retirement bungalows.
- Ensure that the local infrastructure can support additional housing—safer junctions—more bus services- “village shops”.
- Need a range of housing, plus a careful strategy around affordable housing. In effect not to create an estate of purely affordable housing but to pepper-pot around mainstream development.
- Remove the Ryedale Council planning department & replace by people with common sense.

71. What do you not want changed.

- Wouldn't want the village getting too big.
- Do not want to become too big.
- Keep the village small, don't over-develop.
- Village doubling in size—moved from Malton because we didn't like looking onto hundreds of houses.
- The streetview.
- Green fields to disappear.
- No more than 2 new houses every 3 years.
- Size of the village.
- Housing
- It's size.
- Why build more houses when there are many for sale some of which have been on the market for a long time.
- No further housing developments.
- Not to lose the sense of identity & become a large area, made up of residents who do not wish to be involved or mix and have no interest in the village life.
- Rural identity of the village & clean environment (no litter, grass cut, flowers along pathways etc).
- No more housing development as we don't feel the village infrastructure can cope with it.
- Anything that would spoil the views or environment.
- Don't want a massive increase in general housing.
- A small strictly for pensioners development.
- We shouldn't lose the fact that Amotherby is a quiet & tranquil village so therefore should resist large scale, purely affordable housing projects.

FROM OUTLYING RESIDENTS

34. Extra comments on housing & future developments in the parish.

- Should be made affordable for local people who already live & work in the area.
- More focus on housing in Malton rather than supermarkets. More residents in Malton would support local retail so that they have a chance of surviving more than 12 months. Demand for housing, increased residents need an economy, local economy.
- 1. With more houses come more cars. Amotherby needs to sort out the existing considerable congestion before we have more building in the village. 2. Can the school take more children?—probably not.

71. What do you not want changed.

- Village life, the community.
- The number of houses—let's keep our village as a pleasant place & not build it up so much that it is not a village anymore. And let us not squash houses in, like Swinton.

Appendix 2

Minutes of the Public Meeting on LDF Sites held on 1st Dec 2014 at 7-30pm

Present

Parish Councillors:- Cllr. N.Ballard, Cllr. P.Simpson, Cllr. J Edsall, Cllr. D Skilbeck

Members of the Public:- 39 residents of Amotherby Parish were present, list attached

Apologies

Simon Allen, Andrea Ward

Declarations of interest

The Clerk and Cllr. D Skilbeck declared pecuniary interests in Site 148 and withdrew from the Parish Council table to sit in the audience. (Neither made any comments during the meeting).

Mrs Borrett (retired Clerk) undertook to take notes.

Cllr. Ballard explained that Cllr. Simpson would briefly explain the reason for the meeting, and we would then ask for residents views and opinions. There would then be a time for those who had not already looked at the sites (displayed around the hall) to do so and make comments in writing, to be deposited in the box provided. Comments could also be emailed to the Clerk or direct to RDC (email addresses were on the table next to the comments box).

Cllr. Simpson then explained that a review of the Local Plan had already been going on for several years, some may be aware of this but others not, which was why this meeting was being held. RDC had decided that most new housing (a Government requirement) should be built in the 4 Market Towns, but that 10% (300) should go into 10 "Service Villages". Amotherby and Swinton had jointly been designated as one of the service villages. Amotherby PC had objected about this, both to RDC and the Inspector who held the Public Enquiry into the Local Plan, but our objections had been overruled. We therefore had to accept that some development in the village was inevitable, probably 30 dwellings between the two villages. The PC need residents views on the various potential sites which had been put forward for consideration for development. RDC had already carried out a preliminary weighting of the sites using the Site Selection Methodology and had explained this to the PC. Most sites were rated fairly poorly but 3 had scored much better. Views on all the sites were requested, but particularly on the 3 which looked to be the front runners.

A vigorous discussion then ensued. Comments & questions are listed below (not necessarily in order) and answers were given when possible.

- Are they (RDC) bothered about the village already being jam-packed with traffic?
- If a site was large enough to accommodate more than 15 houses would this be acceptable?
- What type of dwellings would be provided? Up to the developers?
- A. Mixed housing types required by RDC.
- Number of houses most acceptable? Does the PC themselves vote for 15?
- A. RDC have to build more houses, this has forced the situation on the PC.
- Developers would not be interested in very small sites and small numbers.
- Traffic & congestion bad enough now, development will make worse & spoil the neighbourhood.
- A. Land still has to be allocated, so which site is the most acceptable. The District Council will make the final decision on which site is allocated.
- Large size family houses bring children, far too much for the school and present traffic.
- Have make a car park for school.
- At present there would seem no need for extra building, given developments in Malton.
- If field above school used could make a car park.

- Size of site should be commensurate with number of houses required.
- Fabric of road (in village) & speed of traffic already a problem.
- Would houses be built over a period or in one development?
- Building on a site on main road more of a necessity than into the village.
- What time scale for development?
- A. Plan covers period up to 2027.
- Will we end up with more than 15 houses?
- A. There is that possibility.
- If a large site is chosen can PC state number of houses limit or will this create extra income for developer?
- Can we get some contribution (to the village) from developers?
- There is an obvious problem with traffic, is there a site where 30 houses could go with a second access point to reduce traffic on Main Street?
- Do the residents want development at all?
- A. 19% of village residents said they wanted no development at all in Parish Plan questionnaire replies.
- Not all sites have good access potential.
- Access to King's field (site 148) from top road (B1257) seems to be best option.
- If looking to keep traffic out of the village could we have one house on each site? Does there have to be 15 houses on one particular site?
- A. Not acceptable to RDC.
- Have we gone over the question of if we need a development, yes or no?
- A. PP questionnaire results indicate that a small development of homes for local people would be acceptable.
- What issues are taken into consideration by RDC? If Amotherby says we want no development will Swinton get 30?
- A. There is a possibility of getting far more than 15 houses on larger sites if the PC cannot stipulate which site is preferable. We have to decide whether we would accept 15, splitting the allocation with Swinton. If we say no to any development we may end up with all 30.
- If houses build on main road site 635 can we get a reduction on speed limit on B1257?
- A. Need to make comments on sites as presented, not on what hoped for gains may be possible.
- Can there be a vote on the number of houses residents will accept?

Proposed:- allocation should be split with 50/50 with Swinton (without commitment to any particular number). Amotherby should receive an allocation of no more than 15 new houses.

A vote was taken by show of hands. 28 voted for the proposal, none against.

- How many houses were there already in the village?
- A. The actual village, High St./Main St. and along the B1257 includes 123 dwellings, some empty.
- How many houses had been built in the past?
- A. Previous developments, Eastfields 14, Meadowfield/ Cherry Tree Walk 10, Seven Wells 12. There had also been a number built on infill sites and quite a lot of houses had been extended.

Cllr. Ballard then thanked everyone for coming and invited those present to put any comments they had on the sites in writing and leave them in the box provided. All comments would be read by Parish Councillors and taken into consideration when they debated further at next Mondays PC meeting.

Meeting drew to a close at 9pm.

Appendix 3

Residents comments on Amotherby Sites from the Public Meeting 1st Dec 2014

These comments were received in writing at the meeting or by email.

General points

- Amotherby is a linear village so development should be in keeping with the historic character of the village, not creating large estates behind housing currently in existence.
- Not in favour of any further development which will exacerbate traffic problems on Main Street.
- Sites should be on the main road or down towards BATA.
- Look to gain lower traffic flows through the village.
- Put up 30 houses & ensure you get additional access to reduce traffic flows through the village. This will benefit the village & give the council (RDC) what they want. The important bit is to choose the correct site that gives an additional roadway access.
- Anything built adjacent to BATA does run a risk of noise which would not be suitable to property development & would restrict a good local employer.
- We want none. Large 5 in parish plan wanting larger developments would be landowners who will benefit financially! Do not increase traffic in village. Drains already at breaking point. School parking problem.
- There are big housing estates being built already, do we really need any more housing in Amotherby, taking into account access to the school with further children attending putting pressure on class sizes, congestion into Malton & pressure on amenities in Malton such as the doctors.
- Obviously new housing is needed and it makes sense to spread it amongst the villages but it should be in keeping with the village and some should be affordable housing.
- My understanding is that the planning regulations change next April at which point plans submitted for new housing developments which have no means of being supplied by natural (mains) gas can no longer be built with LPG or oil as their heat source. This will mean that they will have to be built with a renewable energy like air source or ground source heat pumps or something like a biomass boiler, all of which will add an incredible amount to the build cost and in turn the selling cost of any houses.
- We recognise that there is a potential need for increased availability of housing in Amotherby and Swinton by 2027. We would favour an incremental and organic approach to growing the local housing stock through the use of infill development of brownfield sites. We feel strongly that if development is to take place, the responsibility should be shared equally between Swinton and Amotherby.
If a single site development is the preferred option, we would favour a site on the B1257 (i.e. site 148, 635 or 636) which could be accessed from the main Helmsley to Malton road. We do not favour any development whatsoever that requires access from and into Main Street and/or High Street. Amotherby already has very serious traffic problems owing to both very heavy school traffic and the general volume of traffic passing through the village, including BATA lorries. Anything that would exacerbate this situation further would be extremely detrimental to the village. There are many occasions when the village is completely log jammed with traffic and we feel it is only a matter of time before a serious accident will occur.
- Following tonight's meeting we would say that the 2 sites we would most strongly support are nos. 61 and 636 as they both have access from the 1257 and seem to be the right size for up to 15 dwellings. Given that is the maximum development the village is prepared to accept, it would be a mistake to support a site big enough to take more than 15 as we could end up with much much more. The sites off the Main Street, 8 and 181 we would resist as they would both bring more traffic into an already heavily congested area, and both are big enough to take much more housing than is acceptable.

- We feel it is important, when considering any development, that due regard is given to the nature and character of the two villages. It strikes us having seen the various sites proposed, particularly in Amotherby, that many of them are large and these would invite considerably more development than the 30 dwellings indicated. Development of sites of anything more than an acre or so would completely alter the feel of the village and we think these would be inappropriate, especially so with large-scale developments being currently constructed a few miles away at Broughton Rise in Malton and those contemplated by the FitzWilliam Estate on their High Malton site.

Whilst those sites are large, they can be accommodated within a town rather more easily than a large development in relatively small villages. Neither Amotherby nor Swinton are 'pretty' villages but they have character which has grown over the years and has been added to by small-scale developments which somehow have fitted in. We don't want these villages altered beyond recognition and think that this is key to a way forward for the present proposals. There is obviously a need for new homes and very much so for young local families and we feel that this could be accommodated by small-scale developments and in-fill sites shared between the two villages. Smaller sites would be perhaps more attractive to smaller local builders who could perhaps build something more in keeping with local styles, rather than the formulaic larger developers, and thus preserve and add to the local sense of place.

There are other considerations to be borne in mind in respect of local facilities, of which there are few. A key attraction in Amotherby is the village school which is very popular and attracts pupils from a wide area because of its reputation. This brings problems of its own in terms of traffic. The main street carries a fair amount of heavy traffic at the best of times and this is turned into a congested nightmare at school times – we live opposite the Meadowfield junction and getting in and out of our house at those times is difficult and sometimes, dangerous. Access to the school for buses and for parents to drop and collect children is difficult and unsafe and any suggestion of developing sites for housing which need access from the main street should be resisted as completely inappropriate for these reasons.

Having said this, if a single larger site were to be thought more appropriate in order to attract a developer, then we would think No 148 the most appropriate. This would offer potential to give access directly to the school from the main Malton Road and thereby relieve the main village road of its congestion problems and make it much safer for children and parents to access the school.

School not at capacity at present so with all the new houses in Malton & limited/ no capacity there children are likely to come to Amotherby, adding to the traffic problems. Catchment area children have priority over those from outside, so by building in Amotherby the school can potentially be filled with local children who will walk rather than drive. Isn't it better to keep school for local children by providing local houses?

Site 8—Station Farm field

For

- ----

Against

- No, because it is right in the village.
- This site is too large. Little or no access to the site. Would require access through the village & force traffic out via a one-way around the development.
- Totally unsuitable, would lead to more traffic in village & stretch services.
- Access would have to come onto Main Street through Amotherby. Again congestion issue with traffic already going through the village & from existing residents.
- We strongly object to this site—access issues into village,--traffic issues into village, heavy now,--drainage.
- Not in favour due to adding to traffic/congestion problems in the village.

- We strongly disagree with site 8 because of its position in the village. Any sites considered should be on the outskirts. Site 8 is too near the school & the traffic is already unacceptable.
- No. Not suitable, no access.
- No—not in Main Street—traffic already difficult.
- Access onto Main Street makes traffic problems worse.
- Definitely not no.8.
- Most inappropriate as it would appear to compromise Station Farm, a historic and attractive house which is part of the current character of the village, as well as requiring access onto Main Street.

Site 61—Bentley's Garage

For

- Would seem the logical option to me as it would tidy up the entrance to the village & is a direct access from the main road, plus cars will not be travelling through the centre of the village.
- OK
- Should be reconsidered for development. Access available off main road & prevents further decay of site. This site mirrors Eastfield so within the village this is appropriate use. Westlers doesn't wrap around the site. Sound alleviation measures can be put in place to minimise disruption.
- Would get rid of eyesore of garage forecourt. On main road.
- In favour due to access to main road B1257.
- Bentley's garage needs to be developed. Access ok, out of village.
- Good, it would be nice to see the whole garage/site removed & something tidy built.
- OK.

Against

- -----

Site 148—King's field

For

- We feel that this would be a good place to build 15 houses & a new road out onto B1257 & close of the road into Meadowfield & a new speed limit of 30mph on B1257.
- Seems obvious plot to get rid of school traffic & provide scope to enhance the school.
- Definitely yes, so long as access is off B1257 & car parking for school is provided.
- If this site has access from the main Hovingham road this could be considered.
- Would only be acceptable if access is from main road, not via Meadowfield.
- Good for school extension, possible car park for school, but needs a new road onto B1257.
- Could additionally provide access to the school from the main road with some parking, thus removing the problem of such serious congestion in the village resulting from school traffic.

Against

- This site is far bigger than the requirement for 15 houses. Site is similar in size to Broughton Manor, so considerably larger than needed.
- Not suitable given access, traffic, school congestion.
- New access required—very expensive. Opens up strong possibility of very large scale development to make it viable (cost of all services).
- Could exacerbate surface flooding problems in Main St & building here would destroy any chance of solving school parking problems. Not a good idea to have an access onto B1257 just within 40mph limit where visibility not good.

Site 181—opposite BATA

For

- ----

Against

- Not appropriate opposite BATA with all the lorries & BATA traffic, would cause congestion. Already traffic is speeding up at the Queen's Head, going more than 30 mph. Is it a good place to put more housing opposite gas & oil depot?
- Definitely not. It's opposite BATA.
- Unclear if this development is feasible due to proximity of BATA & oil depot opposite. This may restrict the potential for this site.
- Far too close to BATA fuel depot.
- Opposite fuel depot, not suitable.
- No—not opposite fuel depot.
- Not in favour as impact on traffic, village congestion etc.

Site 371—Westlers

For

- OK

Against

- Too large to accommodate 15 no. houses required.
- Site too large-would lead to more dwellings in future, but is that a negative as keeps development ? (last words unreadable)
- Not in favour—too large a site.
- Far too large.
- Could be ok but room for far too many houses & more than we want.
- Not so good. Strong possibility of very large scale development to make it viable (cost of services, but not as expensive as site 148).

Site 381/612—Pump House

For

- Site fine but would allow limited no. of dwellings.
- Not bad.
- OK, but 1 or 2 houses?

Against

- Definitely not.
- This site is not suitable for development, too small for this no. of houses.
- Too small.

Site 635—next to Eastfield

For

- Positive view as not in village & access straight onto main road.
- Better option-access onto main road so no disturbance to village traffic & no congestion problems, especially with school traffic in village at beginning & end of school day.
- Favourable dependent on access directly on to B1257.
- Ideal site, access good.
- Good/best.
- OK. Access & public utilities can be phased.

Against

- No, not good access onto road.
- Very large, too much potential.

Site 636—opposite Lime Kiln farm

For

- Positive view as not in village & access straight onto main road.
- Better option—again access straight onto main road, not causing congestion with more traffic through Amotherby Main Street.
- Too large as site but access onto B1257 is in its favour.
- Suitable access & out of village.
- Good position.
- OK. Easy access to main sewage/public utilities.

Against

- Definitely not, will spoil the character of the road & village as this is a wide open field.
- This is unacceptable as Swinton & Amotherby would be “physically” linked with completion of development here.
- Too large an area—could be over built.
- Too large.

Response from Amotherby Parish Council, Dec 2015 on
"Sites Consultation –Local Plan Sites Document and SSM

Four questions are posed in the Sites Consultation Document (pg 56) and in the Sites Consultation Service Villages summary (pg 6):-

1. What are your views on the Council's preferred sites?
2. Do you have any views on how we have selected these sites?
3. Do you think there are better sites for housing development in these locations, and why?
4. Are there any further sites listed below we should be considering for allocation?

Please find below Amotherby Parish Council's responses to these questions. We have limited our replies to sites in Amotherby and Swinton.

1. What are your views on the Council's preferred sites?

- In our role as representatives of residents of Amotherby the Parish Council OBJECT STRONGLY to the selection of Site 8- (land east of properties on Main Street and north of St Helen's) as a preferred development site for the following reasons.
- Amotherby Parish Council last year undertook a Public Consultation meeting which resulted in a comprehensive "Submission to RDC" in Dec 2014, to which we refer you back, and from which extracts are included below (*in italics*). The views expressed in this are still the views of the Parish Council.
- This was the one site residents overwhelmingly did **not** want developed.
- Development here will add considerably to traffic problems in the village, which already suffers excessively being a through route to Pickering, Kirbymoorside and other villages, with heavy vehicles associated with BATA and huge problems with school traffic.
- The Highway Authority do not appear to have taken into account the issue of the impact the school has on traffic flows and highway safety in Amotherby and the simple fact that any development accessing off Main Street will add to those problems and will be affected by them. Sometimes the street is gridlocked. There is a detrimental impact resulting which manifests itself in damaged grass verges, vehicles speeding to exit the area as soon as possible, excessive fumes and noise, notwithstanding the ongoing efforts of the Parish Council to achieve mitigation. Adding to this situation is unacceptable especially when other sites are available.
- We have some doubts about access to this site being satisfactorily achievable. We believe that part of the logical potential access between Zetechnics and Station Farm House (north of the house) is in the ownership of a third party. Any attempt to put an access through the narrow garden area south of Station Farm House would be unacceptable as the road would be very close to both Station Farm and the neighbouring property and the garden walls would restrict visibility. It would also be almost directly opposite Meadowfield, thereby forming a cross-roads.
- In Questions 6, 10, & 12 reference is made to a submitted scheme. If "the submitted scheme" is a material factor in the assessment of the sites it should form part of the consultation and be freely available to consultees. As it stands the Parish Council are of the opinion that the "submitted scheme" should not carry any weight and should not predetermine or influence officers recommendations.
- In Question 8 it is stated "in terms of the character of this site, its rural, pastoral qualities would be lost through development; harming the character of the settlement".
- This site will affect the setting of the Grade 2 Listed church, churchyard and cemetery. (Qs 10 & 12)
- Although the existing Station Farm House is not listed it perhaps should be. It dates back to around 1860 and is a typical traditional farmhouse of that period. Any threat to the building or its immediate surroundings is unacceptable. There is a strong likelihood of important archaeological remains in the field. (Q13)
- The overall rating for "D Culture and Heritage" is "double minus/red", reflecting the concerns over the effect on the setting of the Church, existing house and possible archaeological remains.
- The geology of the site is double minus/red and there is a potential serious risk to the public water supply—should this site therefore even be considered for development? (Q25)

Please also see extracts from our "Submission to RDC" below.

PC comments Site 8 – Station Farm field.(pg 2)

1. The submitted site plan appears to indicate the existing Station Farm house & outbuildings would be demolished. This house dates to about 1860 and is a very important part of the character and street-scene of the village.
2. The site is very close to BATA mill, from which there is considerable noise from 6am to 10pm and sometimes continuing until midnight or later. Houses in Church Street can hear this clearly and complaints would be very likely if developed.
3. The whole site is too large and if all used would extend the village too far east.
4. There are problems with running sand in some parts, if not all, of this field. A deep hole appeared overnight when the foundations for Cornwell House were being dug, which resulted in the house having to be built on a concrete raft. This sand area continues across the road & caused houses where the entrance to Meadowfield now is to collapse when the drainage when put into the village in the 1950s.
5. Potential access to the site is narrow (unless Station Farm demolished) and would be in close proximity to Meadowfield, potentially creating great traffic problems at peak journey times.
6. There was a proposal in 1989 to develop this field (application 3/5/62/OA), which in Nov.1989 was held in abeyance. After discussions between RDC, the Parish Council and the then owner it was eventually withdrawn, we believe in Oct 1993.
7. There may be important archaeology on the site. A resident remembers seeing a photo showing crop marks indicating a large building (possibly Roman villa). See also Google Earth.
8. The development of this site would extend the linear form of the village to the east. This would be contrary to its character and have an adverse impact of the setting of the listed church to the south.
9. Public comments expressed total opposition to development on this site.

Our Conclusions (pg 4) stated

We therefore expect :-

- ☐ that development should incorporate houses to meet local need.
- ☐ that sites chosen should fit in well with the existing village.
- ☐ that Amotherby should have to have a maximum of 15 houses allocated and that Swinton should expect some additional development.
- ☐ that development will not add to traffic problems in the village

We refer you also to:-

Appendix 2—Minutes of the Public Meeting on LDF Sites held on 1st Dec 2014 at 7-30pm

Appendix 3--Residents comments on Amotherby Sites from the Public Meeting 1st Dec 2014

Site 8—Station Farm field, (pgs 12/13)

For:-

- ☐ no comments in favour

Against:-

- ☐ No, because it is right in the village.
- ☐ This site is too large. Little or no access to the site. Would require access through the village & force traffic out via a one-way around the development.
- ☐ Totally unsuitable, would lead to more traffic in village & stretch services.
- ☐ Access would have to come onto Main Street through Amotherby. Again congestion issue with traffic already going through the village & from existing residents.
- ☐ We strongly object to this site—access issues into village,--traffic issues into village, heavy now,--drainage.
- ☐ Not in favour due to adding to traffic/congestion problems in the village.
- ☐ We strongly disagree with site 8 because of its position in the village. Any sites considered should be on the outskirts. Site 8 is too near the school & the traffic is already unacceptable.
- ☐ No. Not suitable, no access.
- ☐ No—not in Main Street—traffic already difficult.
- ☐ Access onto Main Street makes traffic problems worse.
- ☐ Definitely not no.8.
- ☐ Most inappropriate as it would appear to compromise Station Farm, a historic and attractive house which is part of the current character of the village, as well as requiring access onto Main Street.

2. Do you have any views on how we have selected these sites?

We restrict our comments to sites in Amotherby/Swinton, firstly on how Site 8 has been selected:-

The "Sites Consultation Summary—Service Villages" states on pg 3 that there is a "figure to plan for" of 116 houses, including a 20% buffer of 60.

- There are six Group 4 sites in other villages which will more than provide this number. (Ampleforth 21, Nawton 20, Rillington 27, Sherburn 4 + 8, Slingsby 73 = 153, plus a Group 3 site at Sheriff Hutton 15 = 168).
- Since there are no Group 4 sites in Amotherby/Swinton we feel that the inclusion of site 8 (Group 3) is purely an attempt to include another village in the distribution of development.
- We find it difficult to understand why site 8 has been preferred as sites 148 (Amotherby) and 341 (Swinton) are also Group 3 sites with, in theory, equal potential. See (Amotherby and Swinton Site Assessment Table).
- Given the very close proximity of Amotherby/Swinton to Malton/Norton the very small number of houses required would be far better built there, where facilities and sustainability are much greater.
- All three sites in Amotherby (8, 148 & 635) are classed as posing a serious threat to the public water supply. Why then are they even being considered?

Secondly, we wish to point out inconsistencies and errors in the Amotherby and Swinton section of the Full Site Selection Methodology document.

- Comparing the Group 3 sites (8, 148 and 341) and sites 635 and 538 (group 2) we find that the number of dark green, light green, pink and red sections, the +'s and -'s, in stages 2 and 3 are very similar:-

Site		8	No.+/-	148	No.+/-	635	No.+/-	341	No.+/-	538	No.+/-
Dk.green	++	15	47 +	13	45 +	12	45 +	13	50 +	14	42 +
Light green	+	17		19		21		24		14	
Pink	-	9	17 -	6	16 -	4	14 -	6	10 -	8	22
Red	--	4		5		5		2		7	
+ minus - total			30		29		31		40		20

Indeed on a purely mathematical basis and **assuming no errors** in classifying the colours/+-'s & -'s of sections, sites 635 and 341 perform better than sites 8 and 148!

However, going through the SSM questions individually the following errors and critiques have been found:-

- Q1A --from site 635 to the local shop takes an average walker only 9 minutes.
--from site 635 to the Primary School takes 8.5 minutes.
- Q3 --site 148. It is stated that there are no footpaths along the frontage of the site. This is **incorrect**, there is a footpath which extends all the way to Appleton-le-Street.
--site 538. This site **does** have access onto a public highway and the section should not therefore be marked "double minus/red". See also our comments on this site in answer to your question 3.
- Q5 --site 148. No information on green infrastructure but this could be provided. The section should in our view be marked as + light green, as are other sites under consideration.
- Q8 (or should it be 9?) --site 148. Although adjacent to the AONB the site slopes down from the B1257 and much of the site is hidden by the hedge along the road. As there are no footpaths on the AONB in close proximity it would not adversely affect the setting of the AONB and the section should be marked as + light green, not - pink.
- Q25 --sites 8, 148 and 635 in Amotherby are all marked "double minus/red" with a "potential serious risk to the public water supply"—should any of these sites be considered for development when there are sites in Swinton where no such threat exists?
- Q27 --site 8. It is stated that there is no evidence of land instability, but this is **incorrect**. There is historical evidence of running sand in this area and buildings, where the entrance to Meadowfield now is, collapsing. While Jubilee House and Cornwell House, adjacent to Station Farm, were being built in 2001 subsidence within the foundation area occurred overnight. This resulted in Cornwell House having to be extensively piled, with the piles going down at least 15 metres before hitting a solid base. This must surely be a strongly negative indicator for this site.
- Q29 --site 8. This site is close to the BATA mill, which works from 6am to 10pm, and on some occasions during the year to midnight or after. Whilst the noise from the mill is not excessive in decibel levels (most of the time) there is a continual rumbling noise, which can be annoying. Noise mitigation measures can be applied to houses but not to gardens and so this is likely to cause nuisance and

affect the amenity of proposed occupants. There are likely to be complaints to BATA which could impact on their business.

- "I Overall rating for Amenity" –site 8. is lower than for other sites (148 & 635).
- Q46 –site 8. Whilst Highways consider access onto Amotherby Lane(Main Street) acceptable the residents of the village do not. All traffic from this site will have to go through the village, and as job opportunities in Amotherby are limited most occupiers of houses here will have to travel away for work.
--site 538. This site **does** have access onto a public highway and the section should not therefore be marked "double minus/red". See also our comments on this site in answer to your question 3.
- Q48 –site 148. The existence of a PROW on the site should not count against it, indeed it may be a positive benefit by dividing the site into logical areas of use.
- Q50 –all sites (8, 148,635 & 341). It is stated that "We have no reports of internal sewer flooding in any of the villages and domestic foul water only may drain to public sewer." This is **incorrect**, the lower parts of Swinton quite frequently suffer from sewage welling up into the street and some homes, usually in periods of heavy rain as the drainage system in both Amotherby and Swinton is of a combined nature. The sewers do not have the capacity to cope with more houses.
- Q52 – site 8 is marked "++ dark green" but it will have an adverse impact on the setting and surroundings of the Church (a community facility), it should be "– pink".
-- site 148 is marked "+ light green", but the possibility of a school car park should be a positive advantage, it should be "++ dark green" at least.
- "M Overall rating for Community Facilities, utilities and infrastructure":-
-- site 148 is marked "– pink" but in our view the footpath across the site and the potential for a school car park are positive advantages which should lead it to be marked "++ dark green".
-- site 538 is marked "double minus/red" but owing to the error in Q46 this is **wrong**.

In conclusion, we think the SSM is seriously flawed in certain respects and that basing the selection of site 8 on this is completely wrong.

3. Do you think there are better sites for housing development in these locations, and why?

Please see below, after general points from our "Submission to RDC" of 2014 (*in italics*), the Parish Council's current comments and extracts from the "Submission to RDC" of 2014 (*in italics*), site by site.

Residents comments -- General points (pg11/12)

- ┆ Amotherby is a linear village so development should be in keeping with the historic character of the village, not creating large estates behind housing currently in existence.
- ┆ Not in favour of any further development which will exacerbate traffic problems on Main Street.
- ┆ Sites should be on the main road or down towards BATA.
- ┆ Look to gain lower traffic flows through the village.
- ┆ Put up 30 houses & ensure you get additional access to reduce traffic flows through the village. This will benefit the village & give the council (RDC) what they want. The important bit is to choose the correct site that gives an additional roadway access.
- ┆ Anything built adjacent to BATA does run a risk of noise which would not be suitable to property development & would restrict a good local employer.
- ┆ We want none. Large 5 in parish plan wanting larger developments would be landowners who will benefit financially! Do not increase traffic in village. Drains already at breaking point. School parking problem.
- ┆ There are big housing estates being built already, do we really need any more housing in Amotherby, taking into account access to the school with further children attending putting pressure on class sizes, congestion into Malton & pressure on amenities in Malton such as the doctors.
- ┆ Obviously new housing is needed and it makes sense to spread it amongst the villages but it should be in keeping with the village and some should be affordable housing.
- ┆ My understanding is that the planning regulations change next April at which point plans submitted for new housing developments which have no means of being supplied by natural (mains) gas can no longer be built with LPG or oil as their heat source. This will mean that they will have to be built with a renewable energy like air source or ground source heat pumps or something like a biomass boiler, all of which will add an incredible amount to the build cost and in turn the selling cost of any houses.
- ┆ We recognise that there is a potential need for increased availability of housing in Amotherby and Swinton by 2027. We would favour an incremental and organic approach to growing the local housing stock through the use of infill development of brownfield sites. We feel strongly that if development is to take place, the responsibility should be shared equally between Swinton and Amotherby. If a single site development is the preferred option, we would favour

Page 4 of 7

a site on the B1257 (ie.site 148, 635 or 636) which could be accessed from the main Helmsley to Malton road. We do not favour any development whatsoever that requires access from and into Main Street and/or High Street.

Amotherby already has very serious traffic problems owing to both very heavy school traffic and the general volume of traffic passing through the village, including BATA lorries. Anything that would exacerbate this situation further would be extremely detrimental to the village. There are many occasions when the village is completely log jammed with traffic and we feel it is only a matter of time before a serious accident will occur.

| Following tonight's meeting we would say that the 2 sites we would most strongly support are nos. 61 and 636 as they both have access from the 1257 and seem to be the right size for up to 15 dwellings. Given that is the maximum development the village is prepared to accept, it would be a mistake to support a site big enough to take more than 15 as we could end up with much much more. The sites off the Main Street, 8 and 181 we would resist as they would both bring more traffic into an already heavily congested area, and both are big enough to take much more housing than is acceptable.

□ We feel it is important, when considering any development, that due regard is given to the nature and character of the two villages. It strikes us having seen the various sites proposed, particularly in Amotherby, that many of them are large and these would invite considerably more development than the 30 dwellings indicated. Development of sites of anything more than an acre or so would completely alter the feel of the village and we think these would be inappropriate, especially so with large-scale developments being currently constructed a few miles away at Broughton Rise in Malton and those contemplated by the FitzWilliam Estate on their High Malton site. Whilst those sites are large, they can be accommodated within a town rather more easily than a large development in relatively small villages. *Neither Amotherby nor Swinton are 'pretty' villages but they have character which has grown over the years and has been added to by small-scale developments which somehow have fitted in. We don't want these villages altered beyond recognition and think that this is key to a way forward for the present proposals.* There is obviously a need for new homes and very much so for young local families and we feel that this could be accommodated by small-scale developments and in-fill sites shared between the two villages. Smaller sites would be perhaps more attractive to smaller local builders who could perhaps build something more in keeping with local styles, rather than the formulaic larger developers, and thus preserve and add to the local sense of place. There are other considerations to be borne in mind in respect of local facilities, of which there are few. A key attraction in Amotherby is the village school which is very popular and attracts pupils from a wide area because of its reputation. This brings problems of its own in terms of traffic. The main street carries a fair amount of heavy traffic at the best of times and this is turned into a congested nightmare at school times – we live opposite the Meadowfield junction and getting in and out of our house at those times is difficult and sometimes, dangerous. Access to the school for buses and for parents to drop and collect children is difficult and unsafe and any suggestion of developing sites for housing which need access from the main street should be resisted as completely inappropriate for these reasons. Having said this, if a single larger site were to be thought more appropriate in order to attract a developer, then we would think No 148 the most appropriate. This would offer potential to give access directly to the school from the main Malton Road and thereby relieve the main village road of its congestion problems and make it much safer for children and parents to access the school. School not at capacity at present so with all the new houses in Malton & limited/ no capacity there children are likely to come to Amotherby, adding to the traffic problems. Catchment area children have priority over those from outside, so by building in Amotherby the school can potentially be filled with local children who will walk rather than drive. *Isn't it better to keep school for local children by providing local houses?*

Site 148

Current comments from PC

- Access possible from the B1257, keeping traffic out of the main village street.
- School access and parking possible, alleviating an ongoing serious problem within the village associated with parents picking up from school or attending school events.
- It would not be necessary to develop the whole field.
- The Roman road lies very close to the southern boundary where it would not be necessary to build. It would be possible for a new road to pass over this without serious damage. Much of this Roman road has already been built on along the B1257 corridor.

Extracts from our "Submission to RDC"

PC comments Site 148 – field south of the school (King's field) (pg 3)

1. The whole site is too large, but use of the lower flatter (northern) part would potentially give some benefit to the village.
2. The Roman road runs across the southern end of the field, not far below the B1257.
3. Access onto the B1257 at the south of the field, although initially attractive, could be problematic as the slope here is steep and would cause problems in winter conditions.

4. The development of this site would only be viewed as appropriate if it is accessed off the B1257, with a new access to the school provided. This has the advantage of not adding new traffic in High St/Main St. and would deflect school traffic away from the centre of the village. If RDC were to allocate this site the PC would want assurances that:-

- a) access could only be off the B1257,
 - b) vehicle access to the school via Meadowfield would be closed off,
 - c) negotiations take place with the Education Authority with a view to providing an adequate (parent) car park for the school,
 - d) mechanisms would be put in place to ensure school parking/dropping off/picking up could not occur in Meadowfield, Cherry Tree Walk & Main Street.
5. Public comments expressed some support.

Residents comments Site148—King's field, (pg 13)

For:-

- | We feel that this would be a good place to build 15 houses & a new road out onto B1257 & close of the road into Meadowfield & a new speed limit of 30mph on B1257.
- | Seems obvious plot to get rid of school traffic & provide scope to enhance the school.
- | Definitely yes, so long as access is off B1257 & car parking for school is provided.
- | If this site has access from the main Hovingham road this could be considered.
- | Would only be acceptable if access is from main road, not via Meadowfield.
- | Good for school extension, possible car park for school, but needs a new road onto B1257.
- | Could additionally provide access to the school from the main road with some parking, thus removing the problem of such serious congestion in the village resulting from school traffic.

Against:-

- | This site is far bigger than the requirement for 15 houses. Site is similar in size to Broughton Manor, so considerably larger than needed.
- | Not suitable given access, traffic, school congestion.
- | New access required—very expensive. Opens up strong possibility of very large scale development to make it viable (cost of all services).
- | Could exacerbate surface flooding problems in Main St & building here would destroy any chance of solving school parking problems. Not a good idea to have an access onto B1257 just within 40mph limit where visibility not good.

Site 635

Current comments from PC

- Access directly onto the B1257, keeping traffic out of the main village street.
- Continues the linear form along the north of the B1257 and links the Eastfield group of houses to the rest of the village.
- Existing adjacent development does not appear to compromise the groundwater source protection zone and mitigation could be achieved.
- The Roman road lies within this site but much of it has already been built on along the B1257 corridor. Would the loss of another section be overly detrimental providing proper investigation carried out? Houses were built over a Roman road in Malton after archaeological investigation in about 1990 (Castle Howard Road/Fitzwilliam Drive).

Extracts from our "Submission to RDC"

PC comments Site 635 – field west of Eastfield, east of Manor Farm (pg3)

1. Roman road crosses this field towards the southern boundary. Its line can be seen on the ground by the remains of a ridge and ditches.
2. Access direct onto the B1257 is potentially good, but this currently has a 40mph limit which is often exceeded. The pavement here is narrow and right beside this fast stretch of road.
3. The site is relatively close to Westlers (Malton Foods) with its associated noise problems.
4. Development of this site would not add to congestion in the Main Street.

Residents comments Site 635—next to Eastfield, (pg 14)

For:-

- | Positive view as not in village & access straight onto main road.
- | Better option-access onto main road so no disturbance to village traffic & no congestion problems, especially with school traffic in village at beginning & end of school day.
- | Favourable dependent on access directly on to B1257.

- | Ideal site, access good.
- Good/best.
- | OK. Access & public utilities can be phased.

Against:-

- | No, not good access onto road.
- | Very large, too much potential.

Site 341 in Swinton

There are no previous PC or residents comments on this site as our Public Meeting in 2014 looked only at sites within Amotherby.

Current comments from PC

- Continues the form of the village.
- Adjacent to site allocated in last local plan which has since been developed as Meadowfields with no apparent amenity issues.
- Noise from the scrap yard is probably about equal to that at site 8, but is not continuous and lasts for a shorter period. The yard is open 8am to 5pm although may be operative from about 7-30am to 6pm. Noise mitigation measures can be applied to houses and gardens will be quiet in the evenings.
- No adverse impact on a Groundwater Source Protection Zone identified by the Environment Agency.

Site 538 in Swinton

There are no previous PC or residents comments on this site as our Public Meeting in 2014 looked only at sites within Amotherby.

Current comments from PC

In the assessment site 538 has a very similar profile to Site 8. Its major failings appear to be at Stage 2 Q1A where the distance to the school is seen to be a major disadvantage. This is clearly perverse given the Planning Authority insisting that Amotherby (where the school is) and Swinton should be joined together to form a convenient community to satisfy the apparent need to create a Service Village. To now state that site 538 fails in its distance to the school is plainly ridiculous.

The second apparent failing, which according to the site selection study is terminal, is at Q3 where the Highway Authority considered that the site "has no direct connection to a highway maintainable at the public expense". On viewing the site and the submitted plan there clearly is a wide strip of land connecting the main body of the site to the highway. Unless the Parish Council have misread the plans or are not party to indications otherwise the site characteristics in terms of pure access to the existing highway are the same as site 8.

Regarding Q8 sites 8 and 538 are very similar in terms of their stated impact but they have been judged differently. Taking site 538 in isolation from those adjacent, which is what should happen, the impact should be the same as site 8 ie low landscape impact (+/light green) and not "-/pink" as assessed.

Overall site 538 is in the main damned by the highway consideration which appears to be inaccurate. This issue should be revisited so that a proper comparison with other sites in the "village" can be undertaken.

4. Are there any further sites listed below we should be considering for allocation?

Yes, all those below, especially the group 4 sites.

Ampleforth site 160 (group 4)
 Hovingham site 643 (group 3)
 Nawton Beadlam site 173/252 (group 4)
 Rillington site 175 (group 3)
 Sherburn sites 283 & 264 (group 4)
 Staxton & Willerby sites 177 & 217 (group 3)
 Thornton le Dale site 109(group 3)

AMOTHERBY PARISH COUNCIL

Acting Clerk to the Council
Cllr. Mrs N Ballard

Holme Cottage, Church Street
Amotherby, MALTON
YO17 6TN

14th September 2017

Development Management Team
Ryedale House
Old Malton Road
MALTON
YO17 7HH

Application 17/00645/MOUT - Land East of Manor Farm, Amotherby

Residential development of 20no.semi detached dwellings and formation of vehicular access (site area 0.79ha) -approval sought for access and landscaping

Dear Mr Housden

In light of your request for clarification of the Parish Council's views this application was reconsidered at the meeting of Mon 11 September.

Amotherby Parish Council support this application on the following grounds:-

- Residents were not opposed and were basically in favour of this site being developed when consulted at a public meeting on potential development sites in Dec 2014
- It is well thought out and designed
- There is a good mix of house sizes, which was identified in the Parish Plan revision as being required
- It fills a gap in the linear form of the village along the B1257 and C20 and is therefore not detrimental to the character of the village
- It doesn't add to the traffic problems in Main Street, identified in Dec 2014 as an issue
- Parish Council concerns (in Dec 2015 SSM Response) over possible archaeology and noise issues have been addressed
- All other concerns raised in the LDF SSM appear to have been addressed by the extensive reports attached to the application

Yours sincerely,

Nigella Ballard

Acting Clerk to Amotherby Parish Council

Item Number: 9
Application No: 17/01231/MFUL
Parish: Heslerton Parish Council
Appn. Type: Full Application Major
Applicant: Mr John Schora
Proposal: Use of land to allow permanent siting of 55no. touring caravans (retrospective application).
Location: The Snooty Fox Scarborough Road East Heslerton Malton YO17 8EN

Registration Date: 11 October 2017
8/13 Wk Expiry Date: 10 January 2018
Overall Expiry Date: 25 December 2017
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

Parish Council	Objections
Highways North Yorkshire	No objections
Highways England	No objections
Countryside Officer	Recommends conditions
Archaeology Section	Raised concerns 28.11.2017 - concerns addressed, no further comments
Caravan (Housing)	No objection, recommends informative
Vale Of Pickering Internal Drainage Boards	No objections

SITE:

The application site comprises land to the rear of The Snooty Fox. The site has raised bunding around its western, northern and eastern perimeter with some degree of planting on these bunded areas. The site is located within the Vale of Pickering Historic landscape character area. The Yorkshire Wolds Area of High Landscape Value, with its rising escarpment to the south of the application site. The Wolds Way National Trail runs along the escarpment.

Access to the site is from the A64 (T) to the south, via a large purpose made access. The Snooty Fox is an existing Public House.

PROPOSAL:

This application seeks to use the land in question for the siting of up to 55 touring caravans (retrospective).

HISTORY:

2003 - Planning permission granted for the variation of condition 02 of the 2000 permission regarding the 28 day occupancy.

2000: Planning permission granted for the siting of 15 touring caravans.

1990: Advertisement Consent granted for signage at The Snooty Fox.

1989: Planning permission granted for the erection of a single storey extension to provide extra seating capacity and toilets. 1989: Planning permission granted for the erection of a single storey extension to

form 10 units of holiday accommodation (revised details to 1988 permission).

1988: Planning permission granted for a single storey extension to form 10 units of holiday accommodation.

1988: Planning permission granted for the erection of a toilet block, kitchen extension and entrance lobby at The Snooty Fox. 1980: Advertisement Consent granted for signage at The Snooty Fox.

POLICY:

National Policy National Planning Policy Framework (NPPF) 2012

National Planning Policy Guidance (NPPG) 2014

Local Plan Strategy

Policy SP1 - General Pattern of development and settlement hierarchy

Policy SP8 - Tourism Policy

SP13 – Landscapes Policy

SP14 – Biodiversity Policy

SP17 - Managing Air Quality, Land & Water Resources Policy

SP19 – Presumption in favour of sustainable development Policy

SP20 – Generic Development Management Issues Policy

SP21 – Occupancy Restrictions

APPRAISAL:

The main considerations in relation to this application are:

1. The principle of the proposed development;
2. Its impact upon the character and appearance of the area;
3. The impact of the scheme upon the amenity of the adjoining occupiers;
4. Highway safety;
5. Landscaping;
6. occupancy restrictions; and
7. Drainage

This application has to be determined by Planning Committee as it is a ‘Major’ application. The application is retrospective and the development has already been carried out, although this is not a material consideration. At a recent site inspection by the Case Officer, it was noted that there were approximately 50 touring caravans located on the application site currently, although the majority of these were stored and not occupied.

The principle of the proposed development:

The site already has the benefit of planning permission for 10 holiday lodges (not fully implemented) and for 15 touring pitches. The site is associated with The Snooty Fox Public House. Policy SP8 supports the principle of extending such sites providing their impact upon the character and appearance of the area is not significant.

Its impact upon the character and appearance of the area:

The site is located within the Vale of Pickering landscape character area and are will be views of the site from the Yorkshire Wolds Area of High Landscape Value to the southern side. Policy SP13 of the Local Plan Strategy states:

‘Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:

- The distribution and form of settlements and buildings in their landscape setting
- The character of individual settlements, including building styles and materials
- The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)
- Visually sensitive skylines, hill and valley sides
- The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure’

In particular regard to the two landscape character areas in question Policy SP13 states:

‘The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield.

The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.’

The site is relatively flat with a small slope to the north. The raised outer areas have some planting, however there are gaps and additional planting is required in order to assimilate the site into the landscape. Currently there are some views from the eastern and western sides of the caravans, the planting proposed will help to screen views of the site. As this application is retrospective it is considered necessary for this planting to take place within the current planting season, and an appropriately worded condition is recommended.

From the Wolds Way, along the northern escarpment, there are views of the site. However, the landscape from those viewpoints is large, the significance of the proposed development is very minor within that landscape. There is however planting proposed within the site that will help to break up the mass of the development. It is not considered that the proposed development would not have a significant impact upon the landscape character areas of the Vale of Pickering or the Yorkshire Wolds.

The impact of the scheme upon the amenity of the adjoining occupiers;

Policy SP20 of the Local Plan Strategy states:

‘New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence’

The only residential property within this cluster of development is occupied by the applicant who manages this site and the Snooty Fox. It is not considered that the proposed development is likely to have an adverse effect upon the amenity of nearby properties.

Highway safety;

The agent has submitted a Technical Note regarding the capacity of the existing junction onto the A64 along with technical assessment of highway safety issues. Highways England have confirmed that they

have no objection to the proposed development. The Highway Authority has no objection.

Landscaping:

A Landscaping Report has been submitted that has identified the areas on the perimeter and within the site where planting should be strengthened. The Council Countryside Management Officer considers this to be acceptable but suggests that species be included that support biodiversity. In view of the proposal being retrospective, it is considered that this planting is under taken in this planting season and the condition suggested by the Countryside Management Officer has been adapted accordingly. An informative is recommended regarding the Countryside Management Officers comments.

Occupancy Restrictions

The agent has stated that the applicant would like to operate the site seasonally from 1st March – 31st October, and be closed outside of these times. However the applicant would like to retain the touring caravans on the site for storage purposes.

Normally during the closed period touring caravans are removed from sites and stored elsewhere. The agent cites the proposed landscaping as justification for ensuring the impact upon the landscape will be reduced. In view of the condition to require the additional planting in this planting season, it is considered acceptable to allow the storage of up to 55 touring caravans on the site during the closed period.

It is also considered necessary to impose the occupancy restrictions mentioned in Policy SP21 relating to the holiday accommodation not being used as anyone main place of residence and the owner/operator maintaining an up to date list of occupiers along with their home addresses. The requirement to ensure the accommodation is available for commercial letting for at least 140 days a year is not considered to be necessary given the seasonally restricted condition.

Drainage

Foul water is drained by a septic and a soakaway. Surface water is drained by infiltration. The Parish Council has raised concern about the capacity of the foul drainage system. This has been raised with the agent. The agent has replied to state that there was a problem recently with a blockage which has now been cleared, and because the septic tank had not been emptied recently. It is understood these issues are resolved and the applicant does not envisage any further issues related to the foul treatment facilities.

The Internal Drainage Board has no objection to the proposal, the views of the Lead Local Flood Authority are awaited, and Members will be updated at the meeting.

Other issues

The County archaeologist has no objection to the scheme as any ground disturbance works have already taken place.

The Parish Council has raised two concerns relating to the lack of planting, and the adequacy of the on-site foul treatment facilities. Both of these issues have been addressed in the appraisal above.

The Council's Licensing Officer advises an informative is required to advise the applicant a Caravan Site is required.

In view of the above, the recommendation on this application is one of approval.

RECOMMENDATION:

Approval

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

site location plan
layout plan
site plan rev A 05 06 17

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

- 2 The touring pitches hereby approved shall only be occupied on the following basis:

- The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and
- Occupation shall only take place between 1st March and 31st October
- The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request

Reason: In order to comply with occupancy restrictions contained within Policy SP21 of the Local Plan Strategy.

- 3 Unless otherwise agreed in writing by the Local Planning Authority the planting proposed on the Proposed Supplementary Screen Planting prepared by JK Arboriculture shall be undertaken before 31st March 2018.

Reason: In order to assist with the assimilation of the scheme into the surrounding landscape and to comply with Policy SP13 and SP20 of the Local Plan Strategy.

- 4 There shall be no more than 55 touring caravans on the site at any one time.

Reason: For the avoidance of doubt and to protect the character and appearance of the area and in the interests of highway safety, and to satisfy Policy SP20 of the Local Plan Strategy.

INFORMATIVE(S)

- 1 The applicant/operator is advised that a Site Licence is required from the Council's Housing Department.
- 2 The applicant/operator is advised that the landscaping scheme should in addition include species such as Guelder Rose, Privet and Blackthorn, to support Biodiversity.

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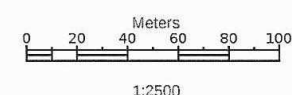


LOCATION PLAN

Produced 28 Mar 2017 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.

The representation of a road, track or path is no evidence of a right of way.
The representation of features as lines is no evidence of a property boundary.

**PROPOSED RETROSPECTIVE PLANNING PERMISSION
FOR A STATIC TOURING CARAVAN SITE
OF 55 PITCHES
AT THE SNOOTY FOX SCARBOROUGH ROAD,
EAST HESLINGTON, NORTH YORKS
FOR MR J SCHORA**



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LAND, PLANNING AND DEVELOPMENT CONSULTANTS

Supporting Planning Statement
For
Retrospective Planning Permission
for
A Static Touring Caravan Site of 55 Pitches
at
The Snooty Fox
Scarborough Road
East Heslerton
North Yorkshire
for
Mr J Schora

10.10.17

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Contents

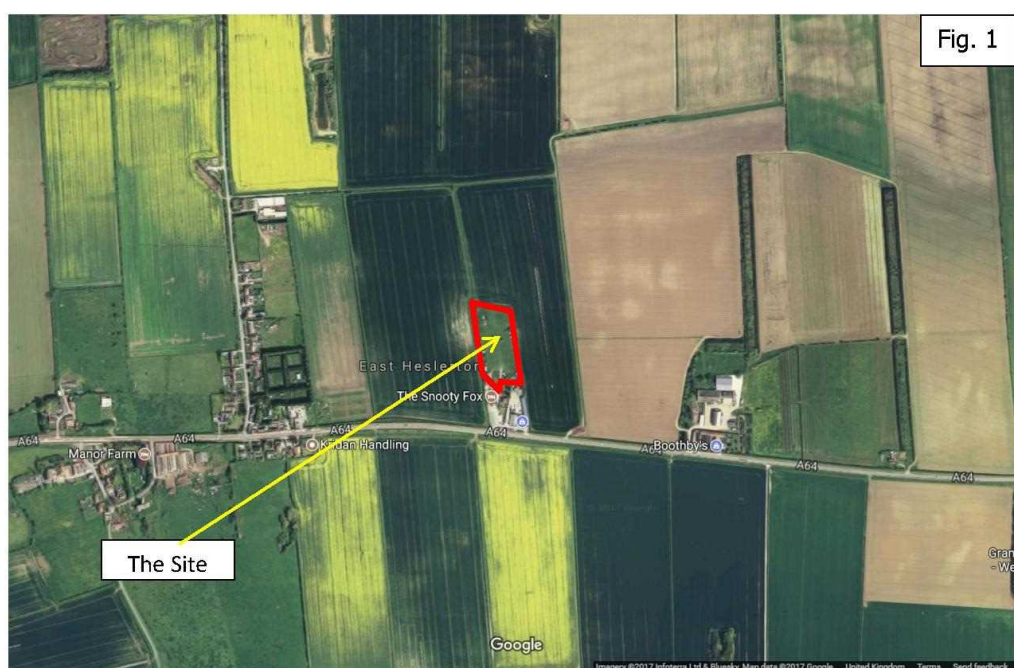
- 1. Introduction**
- 2. Site Location and Description**
- 3. Planning Site History**
- 4. The Proposal**
- 5. The Planning Policy Context**
- 6. Key Issues**
- 7. Conclusions**

1.0 Introduction

- 1.1 This statement provides support for a Planning Application for Retrospective Planning Permission for A Static Touring Caravan Site of 55 Pitches at The Snooty Fox, Scarborough Road, East Heslerton, North Yorkshire.

2.0 Site Location and Description

- 2.1 The site is on the norther side of Scarborough Road, East Heslerton (A64). (See Fig. 1 below). The land extends to some 1.36ha (3.36acres) and comprises an existing static touring caravan park.
- 2.2 The site is bounded to the west, north and east by agricultural land and to the south by an existing café and dwelling (the applicant's home).



3.0 Planning Site History

- 3.1 Application ref. no. 03/00659/73
Variation of Condition on approval 00/00966/FUL requiring site to be only occupied by touring caravans for a period not exceeding 28 days and shall not return to the site within 28 days from departure.
Approved.
- 3.2 Application ref. no. 00/00966/FUL
Change of Use of land for the siting of 15 touring caravans and erection of a shower/toilet block. Approved.
- 3.3 The use of the site for touring caravans has developed since 2003 by the incremental increase in the permanent siting of caravans to the current level of 52 caravans.

4.0 The Proposal

- 4.1 The proposal is for retrospective planning permission for the use of the site for the permanent siting of the existing 52 touring caravans together with a further new 3 pitches giving a total of 55.
- 4.2 Access to the site is via the existing access which currently serves the site and that of the public house and café and applicant's dwelling on to Scarborough Road.

5.0 The Planning Policy Context

- 5.1 The main issue in respect of the proposal is whether the principle of development is acceptable from a planning standpoint and to determine this we turn to the Planning Acts.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "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". The development plan for the Ryedale District comprises the policies in The Ryedale Plan – Local Plan Strategy (adopted on 5th September 2013).

Its relevant policies are as follows:-

- 5.3 Ryedale Plan - Local Plan Strategy (adopted 2013)
SP8 - Tourism
SP9 - The Land Based and Rural Economy
SP13 - Landscapes
SP16 - Design
SP19 - Presumption in Favour of Sustainable Development
SP20 - Generic Development Management Issues
SP21 - Occupancy Restrictions
- 5.4 National Planning Policy Framework
- 5.4.1 The relevant paragraphs and references are:
Paragraphs 11-16 Presumption in Favour of Sustainable Development Ministerial Forward
Paragraph 17 Core Planning Principles
Paragraph 39 Promoting Sustainable Transport
Paragraphs 56, 60, 61 and 65 Requiring Good Design
Paragraphs 94 and 95 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Paragraphs 109 - 125 Conserving and Enhancing the Natural Environment
Paragraphs 187, 196 and 197 Decision-Taking

6.0 Key Issues

- 6.1 The key issues to be taken into account when assessing this proposal are:
1. Principle of development
 2. Character and Form
 3. Impact on the locally valued landscapes of the Vale of Pickering and the Wolds AMLV
 4. Impact on neighbour amenity
 5. Access to the public highway
 6. Flood Risk and Drainage
 7. Occupancy Restrictions

To take each in turn.

6.1.1 Sustainable Development

A number of references are made to the presumption in favour of sustainable development in the NPPF.

In the Ministerial Forward it states that:-

'Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.'

and at Paragraph 14 states:-

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 plan-making this means that:

●●local planning authorities should positively seek opportunities to meet the development needs of their area;

●●Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, 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.⁹

For decision-taking this means:¹⁰

●● 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.⁹

(Our emphasis)

Footnote 9

For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

Footnote 10.

Unless material considerations indicate otherwise.'

6.1.2 At paragraph 17 under the heading 'Core Planning Principles' the document sets out 12 planning principles of which the following is particularly relevant namely:-

'...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,...'

(Our emphasis)

6.1.3 We find further support for the proposal at paragraph 187 which states:-

'187. 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.'

(Our emphasis)

- 6.1.4 and at paragraph 197 under the heading 'Determining applications we find further support as follows:-

'197. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

(Our emphasis)

- 6.1.5 Further policy support is found at Policy SP19 'Presumption in Favour of Sustainable Development' which states:-

'When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

' Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

Specific policies in that Framework indicate that development should be restricted.'

- 6.1.6 The site is well served by public transport and there is access to local facilities in the locality. We submit that the development therefore accords with Policy SP19 of the Ryedale Plan and the advice in NPPF.

6.2 The Principle of Development

- 6.2.1 The NPPF supports local planning policies that will support sustainable rural tourism and leisure developments that benefit the businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. Tourism will be supported in areas where potential is significantly underdeveloped, including the Wolds.

- 6.2.2 Policy SP8 (Tourism) of the Ryedale Plan - Local Plan Strategy states that tourism will be supported through the provision of a range and choice of quality tourist accommodation, In the wider open countryside, new static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality will be supported. All year round tourism is supported subject to the occupancy conditions set out within Policy SP21 (Occupancy Restrictions). However, we make comment on this matter later in this statement.

- 6.2.3 The application site lies just north of the A64 Malton to Scarborough Road and the Wolds AHLV. The application site lies outside of the development limit of East Heslerton, however the site is reasonably well screened from public view due to the existing planting around the site. It is proposed however to supplement and increase the planting by means of the proposed scheme by JK Arboriculture submitted with the application. As such we submit that it is considered there will not be an unacceptable visual intrusion or impact on the character of the locality.

- 6.2.4 We submit therefore that due to the location of the site and the existing substantial screening, the principle of tourist accommodation in this location is considered to accord with Policies SP8 and SP21 and is acceptable subject to consideration of the following matters.

6.3 Character and Form

- 6.3.1 To accord with Policies SP16 (Design) and SP20 (Generic Development Management Issues) and reinforce local distinctiveness, the location, siting, form, layout, scale and detailed design of the development should respect the context provided by its surroundings.
- 6.3.2 The development comprises 52 existing touring caravans (together with a further additional 3 pitches) which are of traditional and uniform design in varying white and cream colours. Whilst the site lies outside of the development limit of East Heslerton, it does have substantial existing boundaries which will result that visibility into the site is very limited. The retention of and supplementing of the existing screening can be required by planning condition. Therefore, the character and form of the proposed development is considered to be in accordance with Policies SP16 and SP20.

6.4 Impact on the locally valued landscapes of the Vale of Pickering and the Wolds AHLV

- 6.4.1 In accordance with Policy SP13 (Landscapes) the Council has to carefully consider the impact of development proposals on the Vale of Pickering and the Wolds AHLV. These areas of significant historic landscape value and the loss or degradation of the elements that are integral to their historic landscape character makes these landscapes particularly sensitive to change. Furthermore, the Wolds are valued locally for the natural beauty and scenic qualities.
- 6.4.2 As well as protecting the distinctive elements of landscape character in each of these areas, there are particular sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield.
- 6.4.3 The development is well screened from the public highway and from a greater distance due to the planting at the site. As such, we submit that there will no adverse impacts on the locally valued landscapes of the Vale of Pickering or the Wolds AHLV.
- 6.3.4 In addition, the NPPF paragraph 56 states the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.3.5 We believe that the development will not to have a detrimental adverse effect on the character and form of the area by virtue of its design, layout, scale, external appearance and landscaping. We submit that the proposed scheme therefore complies with and policies SP16 and 20 of The Ryedale Plan – Local Plan Strategy and advice given in NPPF.

6.4 Impact on the Residential Amenity of the Adjoining Neighbours

- 6.4.1 One of the core planning principles set out in Paragraph 12 of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.
- 6.4.2 Policy SP20 of the Ryedale Plan - Local Plan Strategy requires that new development will not have a material adverse impact on the amenity of present and future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses, Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.
- 6.4.3 The development has operated for a number of years without objection for neighbouring properties. Indeed the only residential property close to the site is that occupied by the Applicant as part of the café and caravan site business. We submit therefore that the development will not result in a materially adverse impact on the amenity of present and

future occupiers of the neighbouring buildings and is therefore in accordance with Policy SP20 (Generic Development Management Issues) of The Ryedale Plan.

6.5 Access to the Public Highway

6.5.1 Policy SP20 (Generic Development Management Issues) of The Ryedale Plan – Local Plan Strategy states:-

'Access, Parking and Servicing

Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads'

6.5.2 These Local Plan policies should be afforded weight as they are broadly consistent with the aims of the NPPF.

6.5.3 In addition with respect to parking, paragraph 39 of the NPPF states that when setting local parking standards for residential and non-residential development, local planning authorities should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high emission vehicles.

6.5.4 The site is served from an existing access to the south of the site which has adequate sight lines and adequate parking provision has also been provided for within the site.

6.5.5 However, as part of the Pre Planning Application Enquiry with the Council. Highways England were consulted and they made the following comments:-

'The following information should be made available to Highways England to allow for a traffic impact assessment of the proposals upon the A64 carriageway.

- *Full operational details of the proposed site, including information relating to the frequency and period of permissible access for touring caravans into and out of the site SNOOTY FOX, A64*

- *Estimates of trip generation to and from the site*

- *Details of the existing access setting out whether it conforms to the following OMRB documents; Vehicular Access to All-Purpose Trunk Roads (TO 41/95)*

- *Highway Link Design (TO 9/93)*

- *Geometric Design of Major/Minor Priority Junctions (TO 42/95)*

- *Safety assessment of the existing access and similar accesses along the A64 in the vicinity of the site*

- *Details of any proposed improvements to the property access and/or alterations to the A64 carriageway, with consideration, where relevant, to the guidance contained in one or more of the following OMRB documents;*

- 1. Vehicular Access to All-Purpose Trunk Roads (TO 41/95)*

- 2. Highway Link Design (TO 9/93)*

- 3. Geometric Design of Major/Minor Priority Junctions (TO 42/95)'*

- 6.5.6 Accordingly a Technical Note01 by AECOM Highway consultants is submitted with the application to address the above matters and this concludes that:-

'the proposals are not considered to have a material traffic impact on the safety and operation of the SRN [Strategic Road Network] and there should be no highways reasons why permission should not be granted...'

- 6.5.7 Our view therefore is that the proposal does not adversely impact on the highway network either from an access or parking standpoint and therefore consider that the proposal is acceptable as it accords with policies SP20 of The Ryedale Local Plan- The Local Plan Strategy and Paragraph 39 of the NPPF.

6.6 Drainage and Flood Risk

- 6.6.1 The NPPF paragraph 94 states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations. NPPF Paragraph 95 states to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings.

- 6.6.2 Policy SP17 (Managing Air Quality, Land and Water Resources) of The Ryedale Plan – Local Plan Strategy states:-

'Land resources will be protected and improved by:

· Supporting new uses for land which is contaminated or degraded where an appropriate scheme of remediation and restoration is agreed and in place

· Prioritising the use of previously developed land and protecting the best and most versatile agricultural land from irreversible loss. New land allocations will be planned to avoid and minimise the loss of the Best and Most Versatile Agricultural Land. Proposals for major development coming forward on sites that are not allocated for development which would result in the loss of the Best and Most Versatile Agricultural Land will be resisted unless it can be demonstrated that the use proposed cannot be located elsewhere and that the need for the development outweighs the loss of the resource

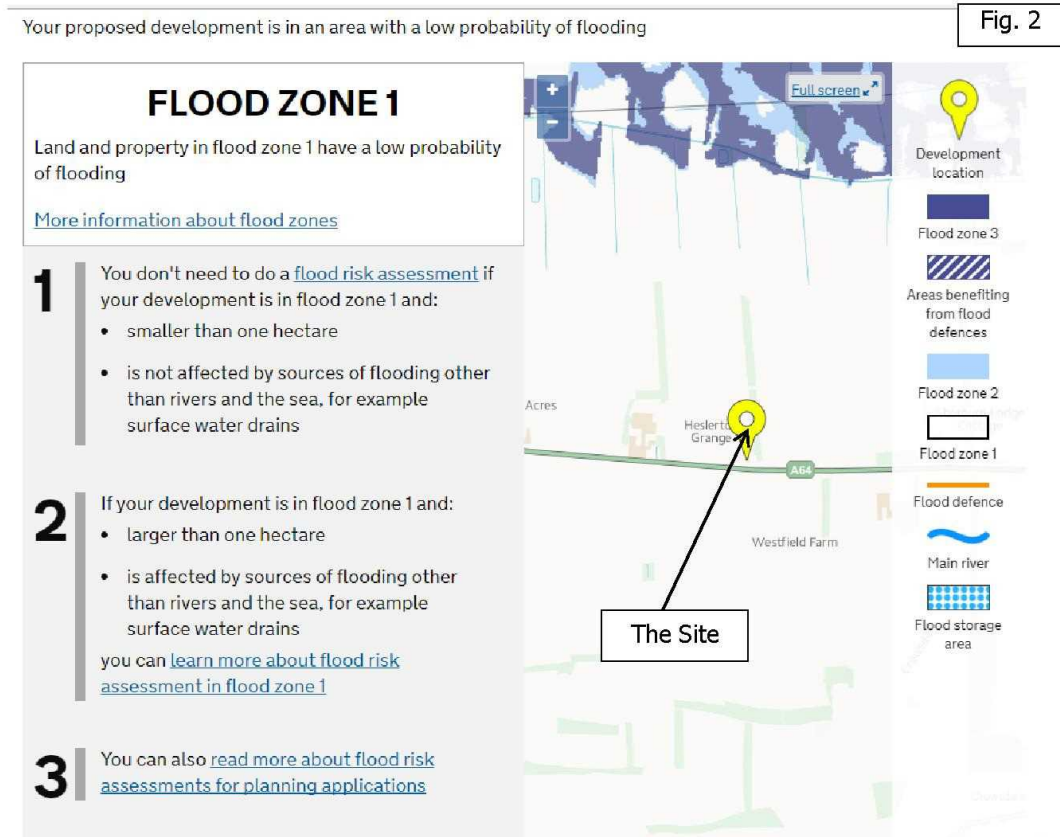
Flood risk will be managed by:

· Requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. Development proposals will be expected to attenuate surface water run off to the rates recommended in the Strategic Flood Risk Assessment. In addition, major development proposals within areas highlighted as having critical drainage problems in the North East Yorkshire Strategic Flood Risk Assessment (or future updates) as Critical Drainage Areas may, if appropriate, be required to demonstrate that the development will not exacerbate existing problems by modelling impact on the wider drainage system

· Ensuring new development does not prevent access to water courses for the maintenance of flood defences

· Undertaking a risk based sequential approach to the allocation of land for new development and in the consideration of development proposals in order to guide new development to areas with the lowest probability of flooding, whilst taking account of the need to regenerate vacant and previously developed sites within the towns. In considering development proposals or the allocation of land, full account will be taken of the flood risk vulnerability of proposed uses and the national 'Exception Test' will be applied if required'

- 6.6.3 The application site is located in Flood Zone 1 as shown on the Environment Agency's Flood Map for East Heslerton (See Fig. 2 below) which is at a low probability of flooding.



6.6.4 We understand that the foul water sewer for the site is currently accommodated by means of an existing treatment plant which has sufficient capacity to accommodate the development and that an adequate water supply is also available. In respect of surface water this is currently dealt with by soakaways on the site which has operated for a number of years without any problems.

6.6.5 We submit therefore that the proposed development is not at risk from flooding and can be satisfactorily drained and is therefore considered acceptable and in accordance with Policies and the guidance in NPPF.

6.7 Occupancy Restrictions

6.7.1 Policy SP21 of the Ryedale Local Plan – The Local Plan Strategy states:-

.....e) *Time-Limited Occupation*

New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions:

- *The accommodation is occupied for holiday purposes only; and not as a person's sole, or main place of residence; and*
- *It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and*
- *The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.*

f) Seasonal Occupancy Condition

A seasonal occupancy condition will be attached where the proposed accommodation is not suitable for year-round occupation by nature of its location, design or proximity to a habitat that needs extra protection at certain times of the year.'

- 6.7.2 Whilst the applicant would accept a condition to restrict the occupancy of the caravans to the period 1st March to 31st October each year, it was clear that at the Pre Planning Application Enquiry site visit that the majority of the caravans have been permanently sited for many years and are used by their owners for holidays only.
- 6.7.3 The proposal therefore by the Planning Officer in his written Pre Planning Application Enquiry advice response, that the caravans should be removed from the site and stored elsewhere outside of the above occupancy period is unfeasible and unreasonable.
- 6.7.4 We would propose therefore, that the permanent siting of the caravans is acceptable in that the site will be adequately screened following the implementation of the proposed landscaping scheme submitted with the application and that it would meet the requirements of Policy SP21 (f) of The Ryedale Local Plan – The Local Plan Strategy.

7.0. Conclusions

- 7.1 We believe that we have provided a substantive case through not only Central Government's most recent planning policy statements, but also the Council's own planning policies and material considerations we respectfully submit that the proposal is acceptable in all respects and should receive the support of the local planning authority.

SMN/ YTA 10.10.17

Agenda Item 10

Item Number: 10
Application No: 17/00773/FUL
Parish: Nawton Parish Council
Appn. Type: Full Application
Applicant: Mr & Mrs Stuart Pickering
Proposal: Erection of rear two storey and single storey extension to the existing dwelling following demolition of existing single storey lean to extension, change of use of existing annex to holiday cottage, erection of rear first floor extension to proposed attached holiday cottage, erection of detached double garage/store and formation of a shared vehicular access, driveway and parking/turning area
Location: East House School Lane Nawton Helmsley North Yorkshire YO62 7SF
Registration Date: 29 June 2017
8/13 Wk Expiry Date: 24 August 2017
Overall Expiry Date: 20 November 2017
Case Officer: Joshua Murphy **Ext:** 329

CONSULTATIONS:

Parish Council	No Comments
Parish Council	Considerations
Highways North Yorkshire	Recommend conditions

Neighbour responses: Mrs Penny Harper, Mr Ronald Gordon, John Purcell, Mrs Nicola Johnson, Miss Nichola Oxtoby, Mrs Kathryn Farrell, Mrs Victoria Fraser, Mrs Jeanette Kendall, Mrs Ruth Gordon, Mr Martin Davies, Miss Izzy Warner, Miss Victoria Harper, Mrs Angela Pickering, Mr Steve Henderson, Mr Jed Dargan, Miss Holly Davies,

SITE:

East House is a detached dwelling with attached annex. The property fronts School Lane, an unadopted road, which runs off of Chapel Street. The proposal site is located within the Nawton Development Limit.

PROPOSAL:

The application includes a number of proposals. These include:

- The erection of a rear two storey and single storey extension to the existing dwelling following demolition of existing single storey lean to extension.
- A change of use of the existing annex to holiday cottage
- The erection of rear a 2no storey extension to the proposed attached holiday cottage
- The erection of detached double garage/store and formation of a shared vehicular access, driveway and parking/turning area to serve the holiday cottage

HISTORY:

There is no relevant history for this site.

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP1 General Location of Developments and Settlement Hierarchy
Policy SP16 Design
Policy SP19 Presumption in Favour of Sustainable Development
Policy SP20 Generic Development Management Issues

National Planning Policy Framework (2012)

Chapter 7. Requiring good design

APPRAISAL:

The main considerations to be taken into account are:

- i) Principle of Development
- ii) Design
- iii) Impact upon neighbouring amenity
- iv) Other Matters, including consultation response

i) Principle of Development

With regards to the holiday cottage aspect to the application - the site is situated within the developments limits of Beadlam and Nawton and, in a Local Service Village as defined by Policy SP1 (General Location of Developments and Settlement Hierarchy) of the Ryedale Plan - Local Plan Strategy. The principle for the use of the existing annex as a holiday cottage is supported by the Development Plan. Policy SP8 (Tourism) acknowledges that a key contributor to Ryedale's rural economy is tourism, and seeks to support new self-catering accommodation within some villages through new buildings and the conversion of existing buildings.

Within Nawton and Beadlam there are holiday lets as is the case with other villages across Ryedale. The village is well located to the A170 and sited between Helmsley and Kirkbymoorside, two of the districts main historic towns. The village is also in close proximity to the North York Moors National Park. It is considered that additional tourist accommodation in this area will support the visitor economy of norther Ryedale.

The National Planning Policy Framework also seeks to support development that benefits the rural economy. The Good Practice Guidance on Planning for Tourism also details the value of tourism to the national and rural economy.

ii) Design

The first element of the proposal is the two storey extension to the rear at the main dwelling, following the removal of the existing lean- to. The extension as originally proposed was a concern for officers and concerns were also raised by a neighbour due it its original scale, siting and consequential impact on neighbouring amenity.

Revisions to the proposed extension retain a two storey element and include a single storey lean to, at either side. The two storey extension element measures, 4.2m in width by 4.4m in length, with an eaves height of 4.6m and a ridge height of 6.5m. The roof pitch of the extension is similar to the host dwelling and other extensions proposed. The lean-to extension nearest to the boundary with the neighbouring dwelling measures 3.3m in length and 3.8m in width. The other lean-to element measures 4.1m in length and 3.8m in width. Both of the lean-to extensions have an eaves height of 2.5m and ridge height of 3.7m. The materials to be used will be to match, as closely as possible, those of the existing host dwelling, which include stone and pantiles. The proposed use of reclaimed windows resulting from the removal of the existing extension will also assist with the consistent use of matching details.

The two storey extension to the proposed holiday cottage is similar to the extension proposed to the main dwelling. Although slightly larger, the extension relates well and creates a symmetrical design which is traditional within rural Ryedale. The proposal will measure, 4.9m in length by 3.8m in width, with an eaves height of 4.5m and a ridge height of 6.6m. Again the materials proposed correspond with the host dwelling and the extensions.

The detached double garage/store room will be sited at the rear of the garden area and will be accessed via a new driveway leading from the main entrance. The building will measure 10.6m in length by 6.1m in width, with an eaves height of 2.2m and a ridge height of 4.4m. The building will be constructed from wooden cladding and features an open sided garage. The building is a typical design for a detached garage in a rural area and is considered to fit in well with the surroundings.

It is considered that in terms of design, all elements of the proposal are sympathetic and appropriate to the character and appearance of the main dwelling. With this in mind, it is considered that the proposal is in conformity with SP16 of the Ryedale Plan - Local Plan Strategy.

ii) Impact upon neighbouring amenity

The proposed extension to the main dwelling has been subject to multiple revisions to address concerns relating to the impact on the amenity of the occupants to the neighbouring property – Byre Cottage. Following a site visit to the neighbouring garden, officers considered that the extensions as originally proposed would have an unacceptable impact on the amenities of the occupants of Byre Cottage. This was largely as a result of the position of the original proposal to the boundary with Byre Cottage in terms of its scale and form. The impact on amenity was also considered to be compounded by the fact that the neighbouring garden and ground floor is lower due to the drop in ground levels. As originally proposed, the extension would have a direct overshadowing and overbearing impact on Byre Cottage.

In an attempt to address these concerns, revisions have been made. The final revision featured the extension located a further 4m away from the original location. Although the scale of the extension has not altered, the neighbouring impact is considered to be significantly reduced due to its new location. The lean-to which will now be sited in the location of the existing lean-to is an almost direct replacement of what currently exists and is also considered not to impact the neighbouring property. Notwithstanding these changes, an objection still stands from the occupiers of Byre Cottage regarding the extension, which includes concerns with overlooking and a dominant impact on their property. It is considered that the Local Planning Authority have acted positively and proactively in negotiating with the applicant, in order to significantly reduce the impact of the proposal on the neighbouring property and, that the scheme as now proposed would not have an unacceptable impact to the amenities of the occupants of Byre Cottage.

Planning permission is also being sought for the change of use of the existing residential annex to holiday accommodation. With regards to residential amenity no material adverse impacts are expected to occur for future occupiers of the holiday cottage. The two bedroom holiday cottage, with the proposed extension would accommodate a small, but sufficient level of amenity space.

Given the site specific conditions, the introduction of the proposed use would not adversely impact on the residential amenity of the host dwelling or nearby residential properties. The proposed access will provide parking for the occupiers of East House and the proposed holiday cottage. There is a proposed garage which has space for two vehicles and a turning circle which provides the space for a further 4. This is considered to benefit School Lane which suffers from cars parking on the highway and damaging the road. North Yorkshire Highways have no objection to application, but have recommended conditions.

A condition is considered necessary to ensure that the proposed conversion to holiday let will be tied /remain in the same ownership as the dwelling East House, Nawton. This will ensure that the amenity of the existing and future occupiers of the proposed holiday cottage and East House is protected.

It is therefore considered that subject to appropriate conditions this proposal complies with Policy SP20

(Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

iv) Other Matters, including issues raised in consultation responses

There have been several objections to the proposal from public consultation. A summary of the issues raised and a response to these is outlined below. The full objection letters can be viewed on the Council's website.

Principle of Holiday Cottage

The principle of the use of the current annex as a holiday cottage has been considered earlier in this report.

Neighbouring Impact from Extension

This issue has also been considered within this report.

Increased building traffic

The construction process is not a material planning consideration. Planning cannot control building safety or how the proposal is built.

Condition of School Lane

School Lane is not an adopted road maintained by North Yorkshire Highways. The proposed use of the annex as a holiday cottage is unlikely to result in any significant increase in traffic movements associated with the property over and above those which could occur as a result of its existing lawful use. The introduction of additional off street parking would also benefit the use of the road particularly for pedestrians.

Increased Traffic

This is addressed in the report above. It should be noted that there are also a number of dwellings and a school at the top of the lane which have the potential to contribute to an increase in the traffic using the lane.

Parking Spaces

The proposal includes provision for an appropriate level of parking spaces provided in the development.

Works Safety

The building process and the safety of this is not controlled by planning and therefore is not a material consideration.

Child Safeguarding (through increase in traffic and strangers occupying the holiday cottage)

The District Council considers the safety of children to be of the utmost importance. However, across Ryedale there are a significant number of residential properties, including holiday accommodation which are located on routes children use to walk to and from school. It is considered that the use of the annex as a holiday cottage presents no greater risk to the safety of children from strangers than the occupancy of any other dwelling in the District. It is not considered to be a sustainable reason for withholding consent.

In the light of the above, the proposal is considered to meet the relevant policy criteria outlined within Policies SP1, SP16, SP19 and SP20 of the Ryedale Plan - Local Plan Strategy and within the National Planning Policy Framework. The proposal is therefore recommended for approval.

RECOMMENDATION:**Approval**

- 1 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

- 2 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.

- 3 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.

- 4 The accommodation hereby approved shall not be sold off or separated from the main residential dwelling of East House, School Lane, Nawton.

Reason: For the avoidance of doubt and to satisfy SP21 of the Ryedale Plan, Ryedale Plan, Local Plan Strategy.

- 5 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 until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. Provision to prevent surface water from the site/plot discharge onto School Lane highway shall be constructed in accordance with details that shall be submitted and agreed with the Local Planning Authority in advance of the commencement of the development and maintained thereafter to prevent such discharges.
All worked shall accord with the approved detailed unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Policy SP20 and to ensure a satisfactory means of access to the site from the School Lane highway in the interests of vehicle and pedestrian safety and convenience.

- 6 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing number 07 Revision D. Once created these parking areas shall be maintained clear of any obstructed and retained for their intended purpose at all times.

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

- 7 Unless otherwise approved in writing by the local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing School Lane highway (between the junction with Chapel Street and 15 metres to the east of the site access)

has been carried out, together with a schedule of monitoring inspection and carrying out of identified repairs during the construction period in a manner that shall be prior approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In accordance with Policy SP20 and in the interest of highway safety and the general amenity of the area.

- 8 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 materials used in constructing the development
 - d. Erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
 - e. Wheel washing facilities
 - f. Measure to control the emission of dust and dirt during construction
 - g. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. All construction deliveries to avoid school start and leaving times vis. 08:30 – 009:15 and 15:15 – 15:50 during active term periods.

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

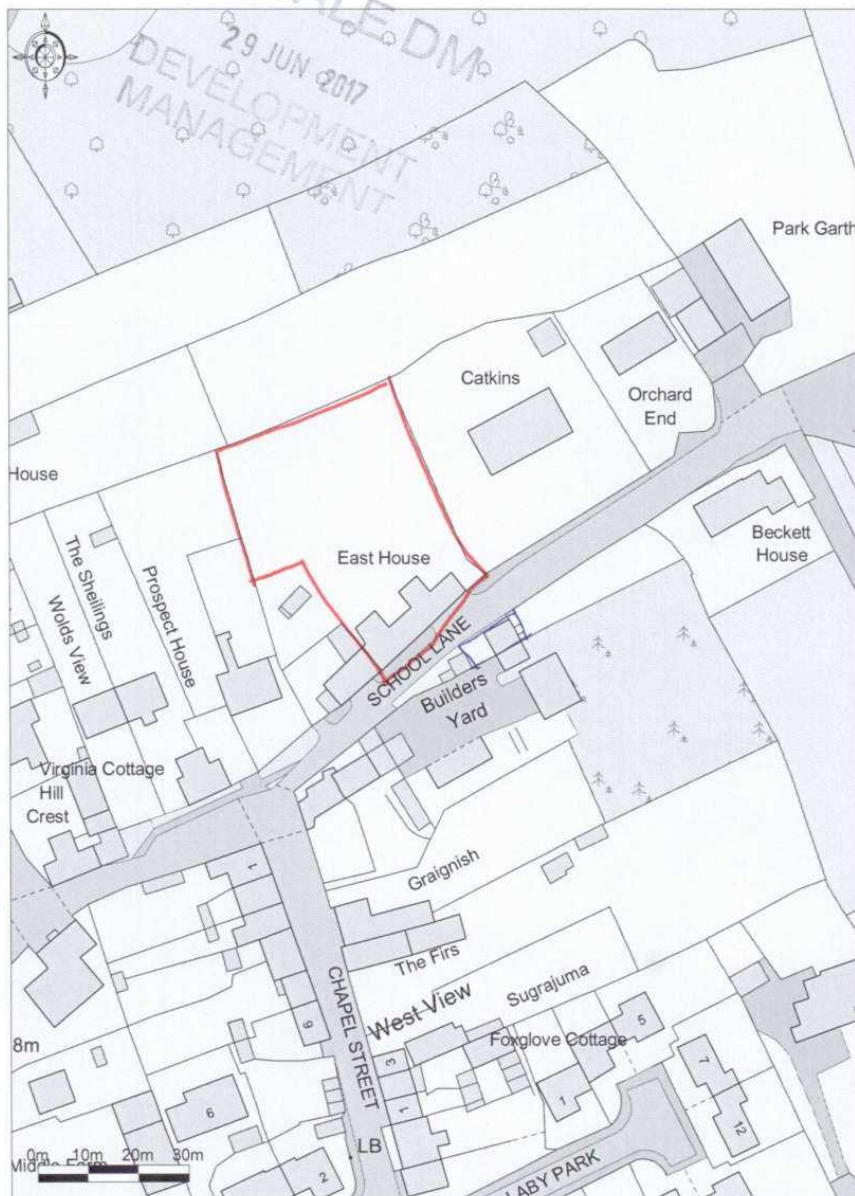
- 9 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

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

East House
School Lane
Newton

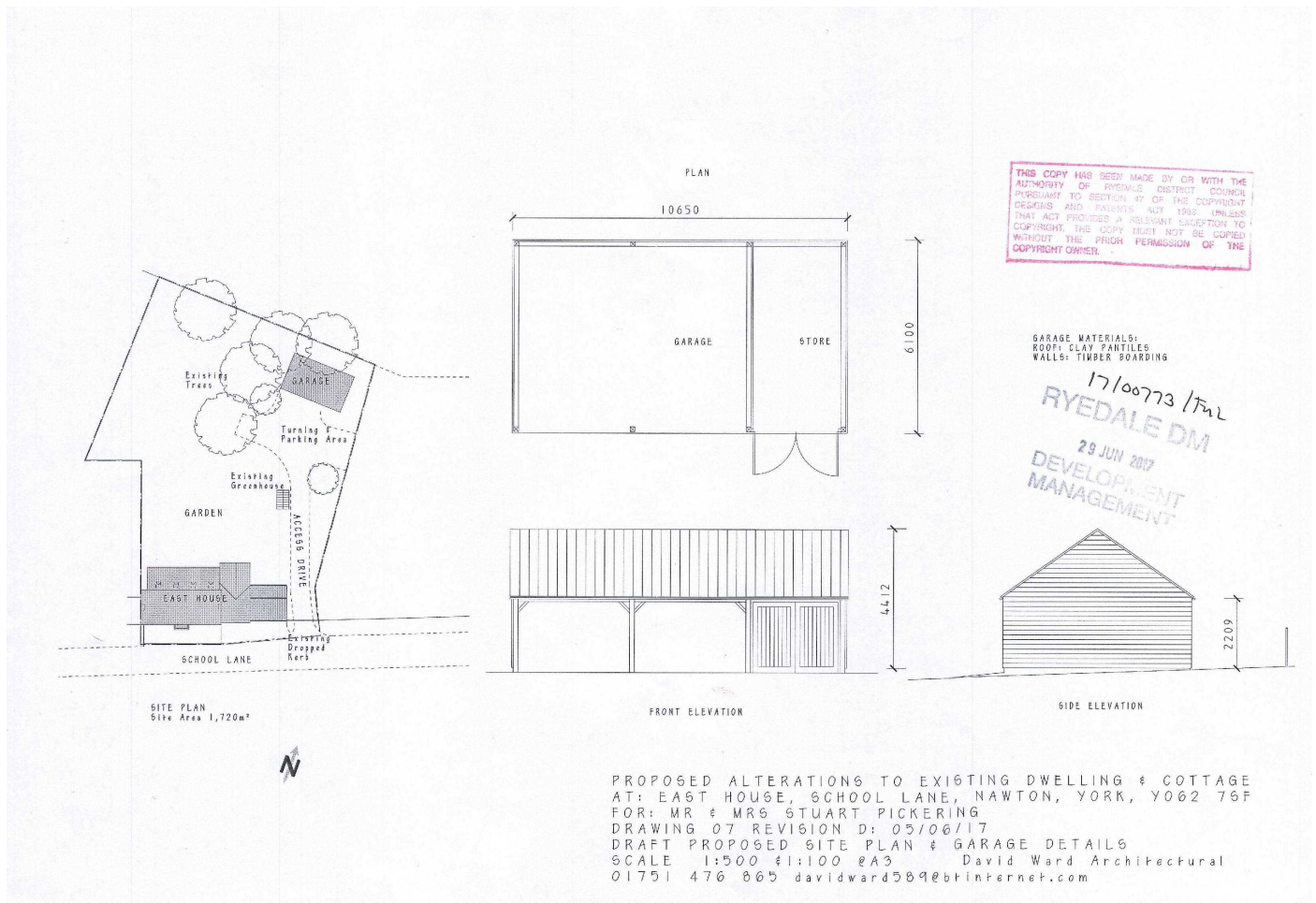
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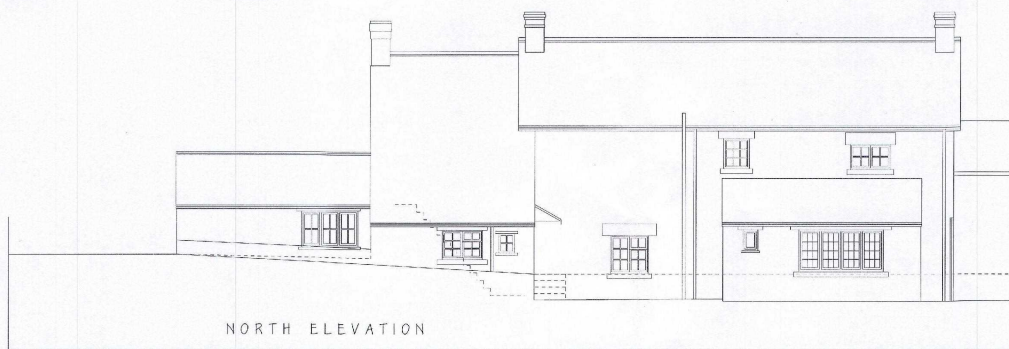
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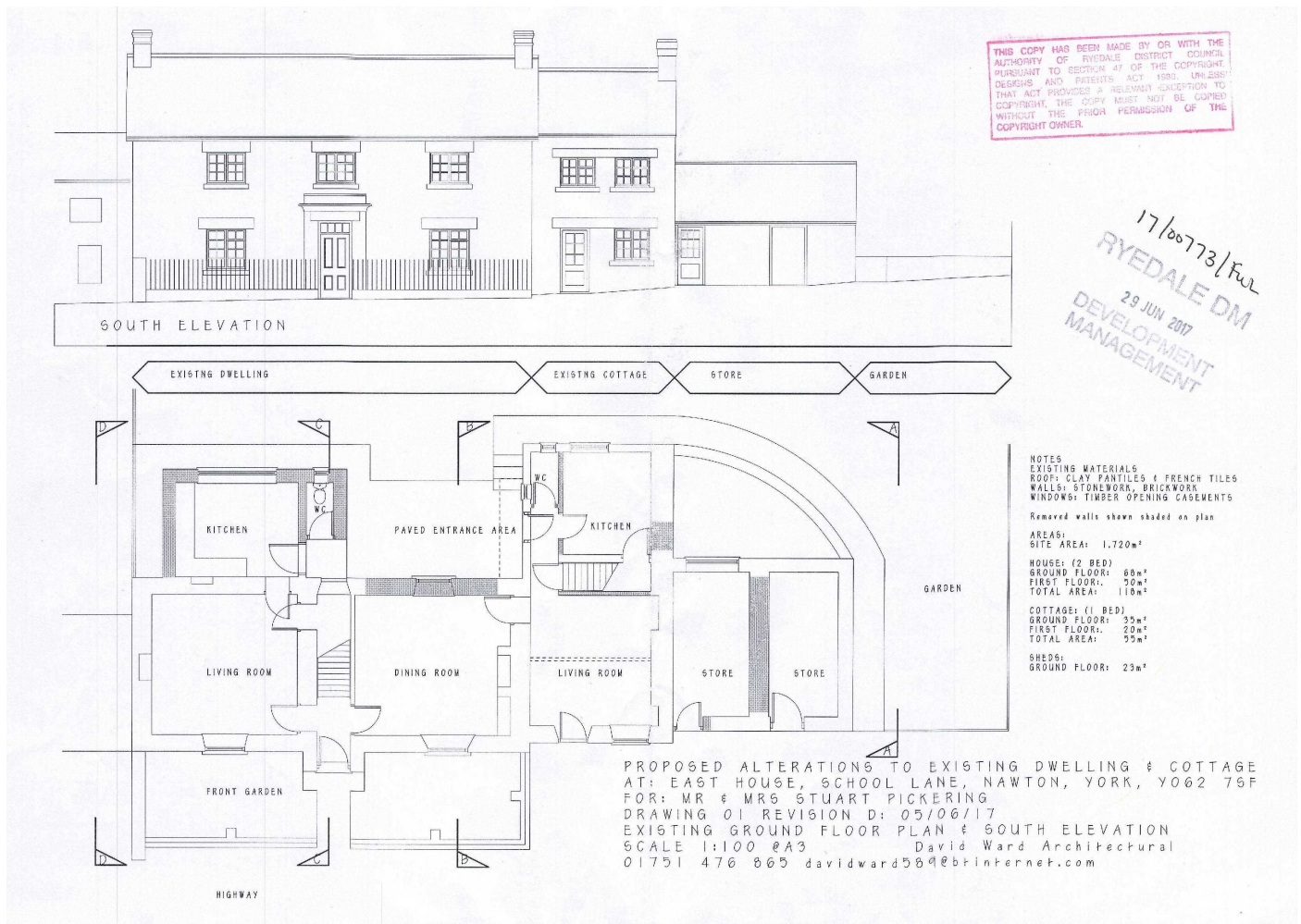


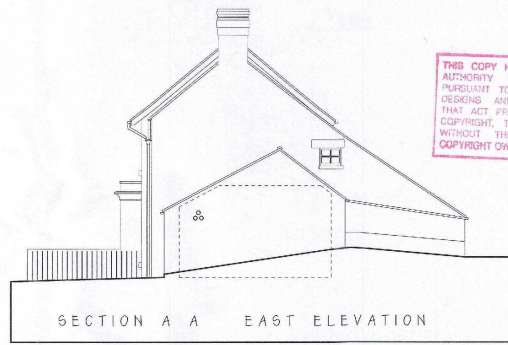
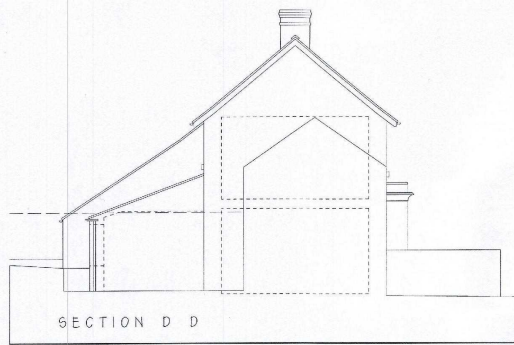
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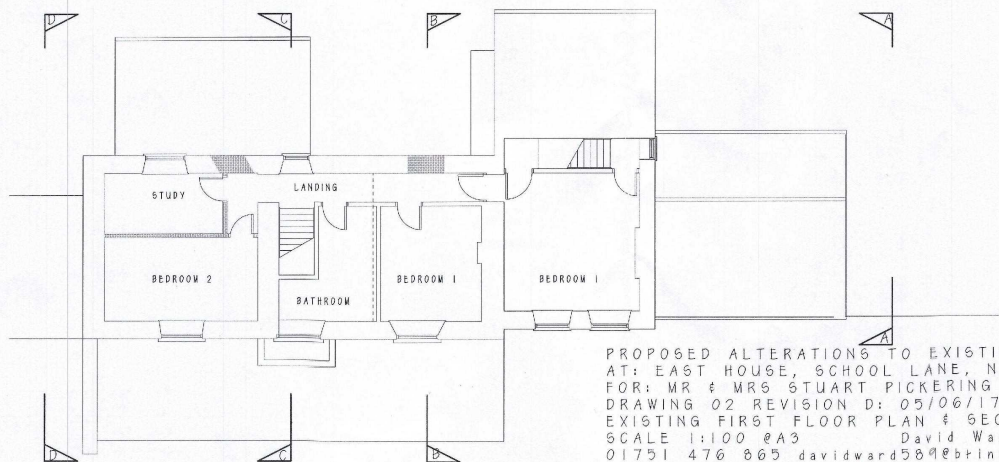
17/00773/FL
RYEDALE DM
29 JUN 2017
DEVELOPMENT
MANAGEMENT

PROPOSED ALTERATIONS TO EXISTING DWELLING & COTTAGE
AT: EAST HOUSE, SCHOOL LANE, NAWTON, YORK, YO62 7SF
FOR: MR & MRS STUART PICKERING
DRAWING 03 REVISION D: 05/06/17
EXISTING SECTIONS & NORTH ELEVATION
SCALE 1:100 @A3 David Ward Architectural
01751 476 865 davidward589@btinternet.com



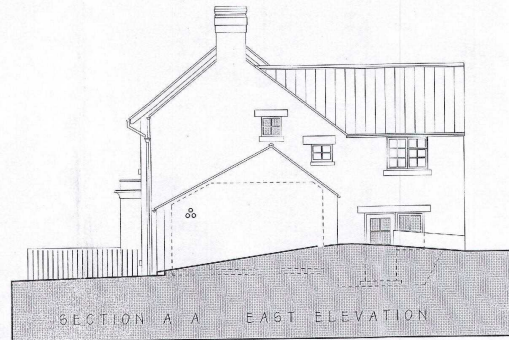
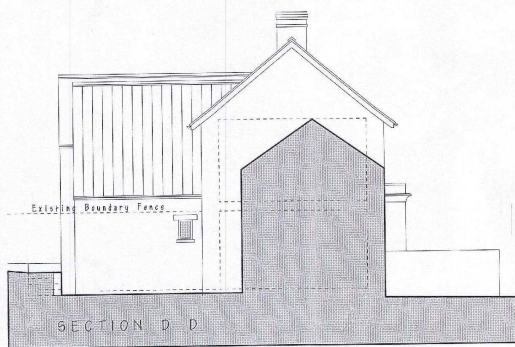


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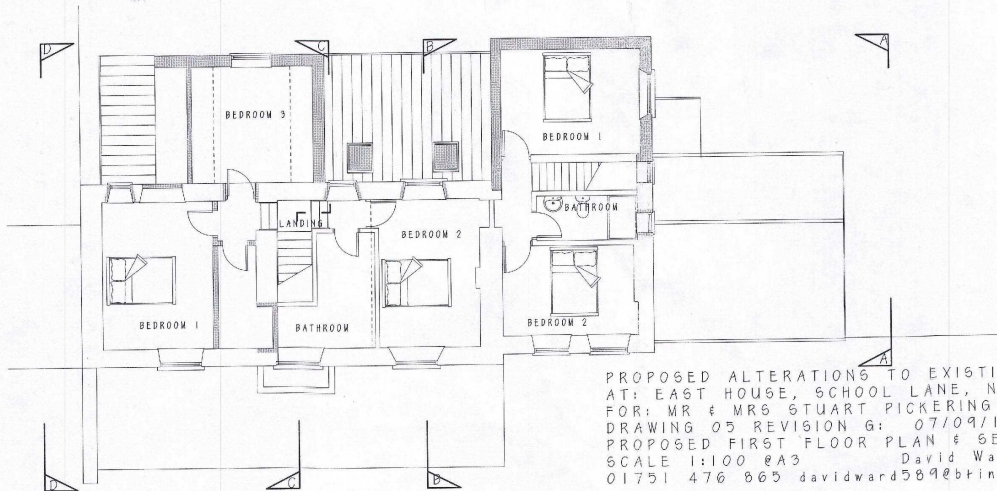


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RYEDALE DM
29 JUN 2017
DEVELOPMENT
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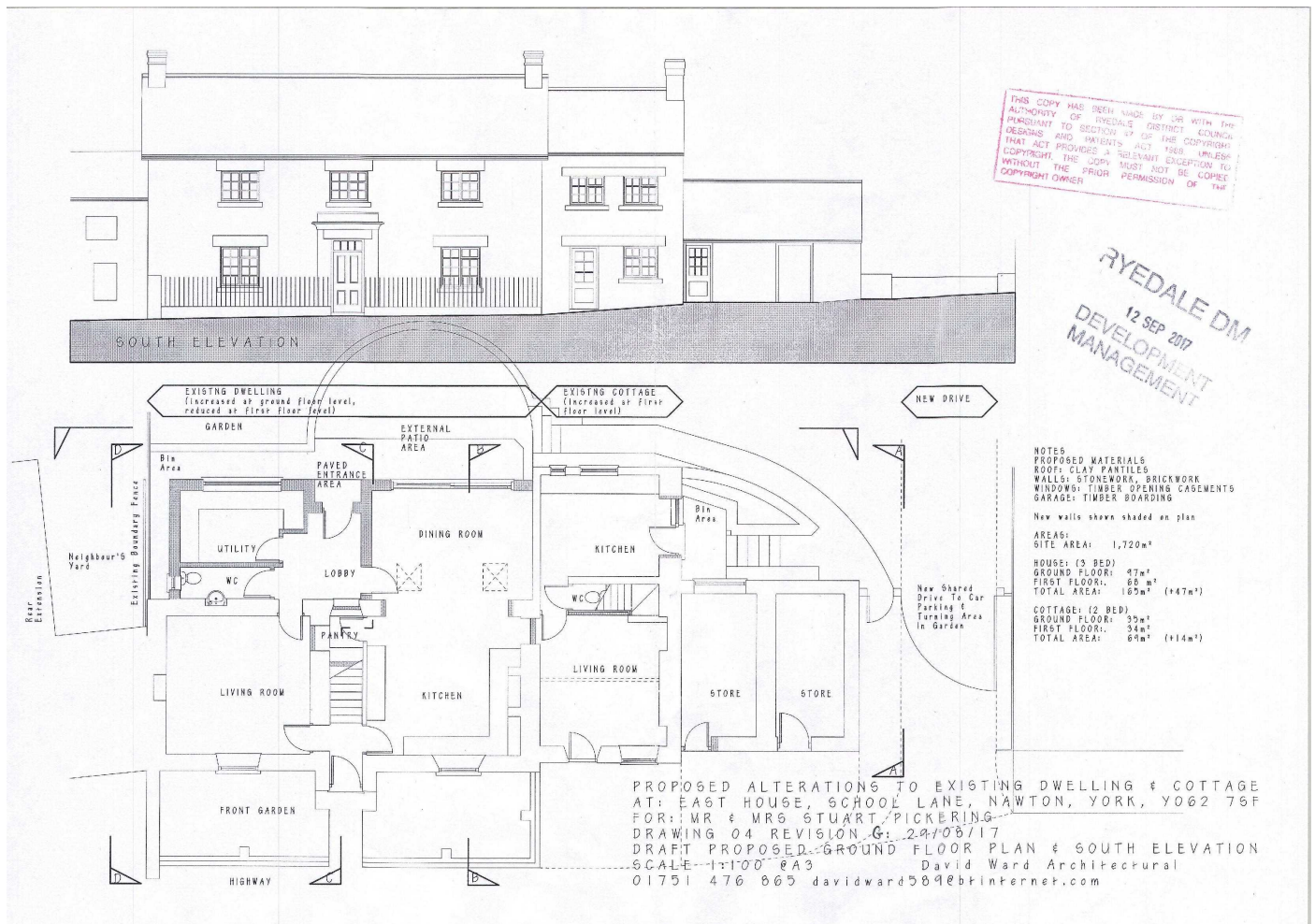
PROPOSED ALTERATIONS TO EXISTING DWELLING & COTTAGE
AT: EAST HOUSE, SCHOOL LANE, NAWTON, YORK, YO62 76F
FOR: MR & MRS STUART PICKERING
DRAWING 02 REVISION D: 05/06/17
EXISTING FIRST FLOOR PLAN & SECTIONS
SCALE 1:100 @A3 David Ward Architectural
01751 476 865 davidward589@btinternet.com

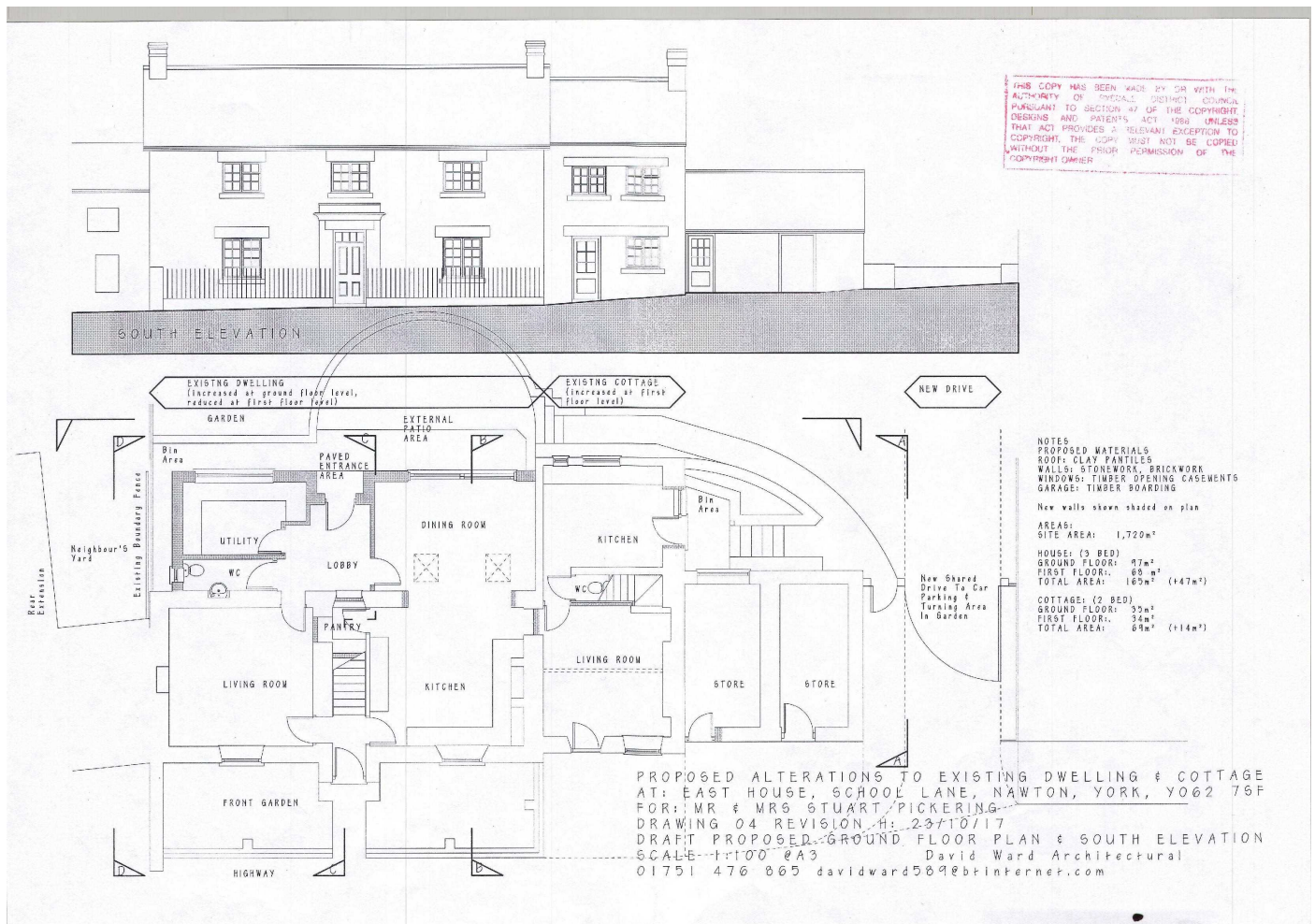


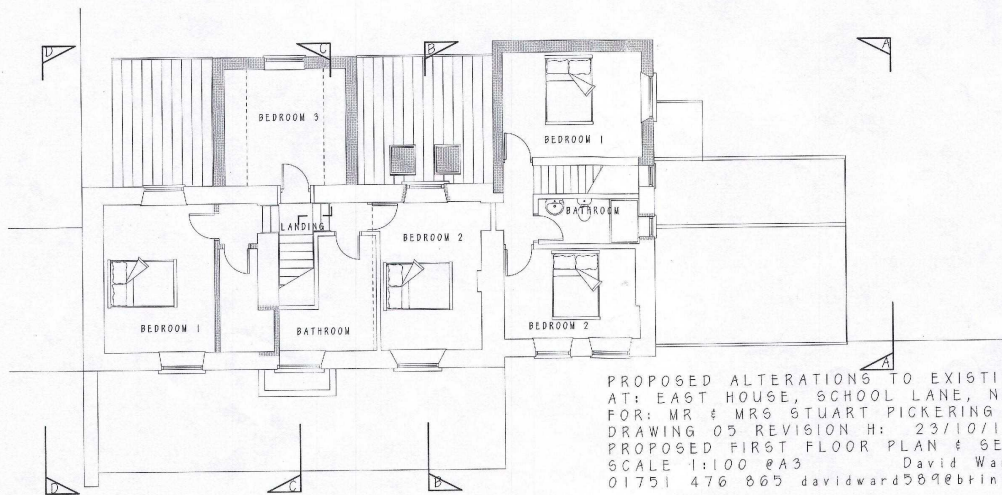
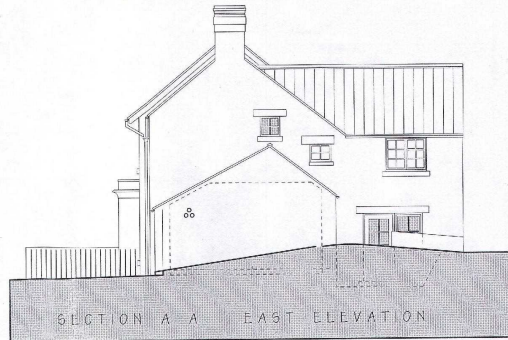
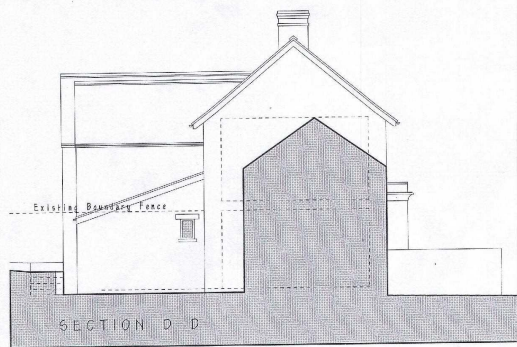
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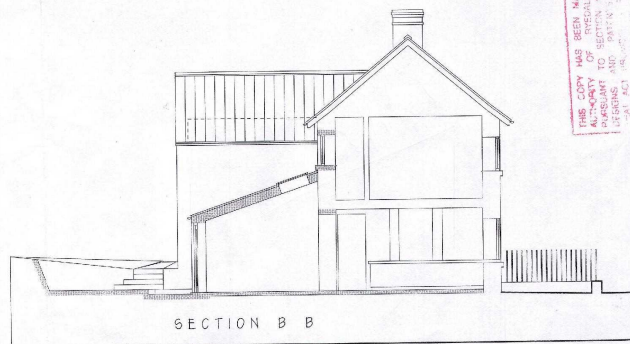
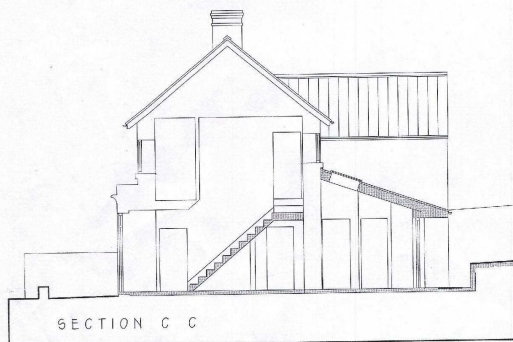






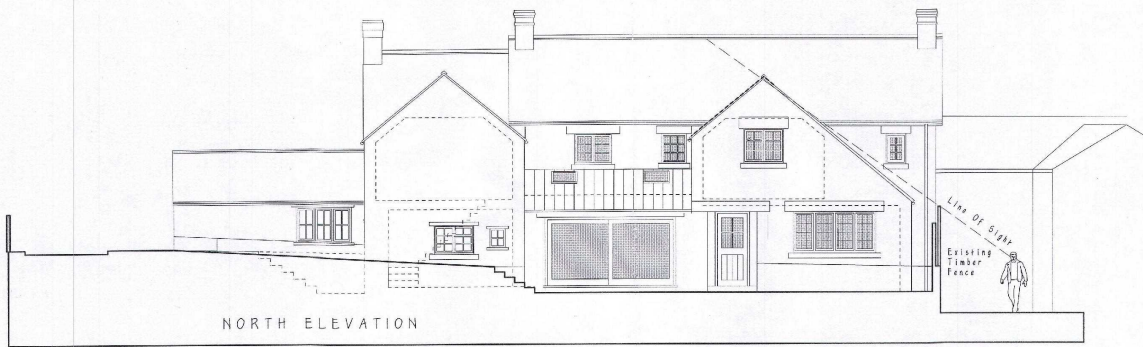
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DAVID WARD ARCHITECTURAL

PROPOSED ALTERATIONS TO EXISTING DWELLING & COTTAGE
AT: EAST HOUSE, SCHOOL LANE, NAWTON, YORK, YO62 7SF
FOR: MR & MRS STUART PICKERING
DRAWING 05 REVISION H: 23/10/17
PROPOSED FIRST FLOOR PLAN & SECTIONS
SCALE 1:100 eA3 David Ward Architectural
01751 476 865 davidward389@btinternet.com



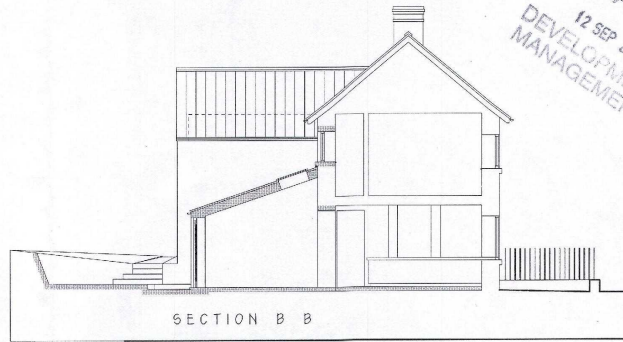
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 FOR: MR & MRS STUART PICKERING
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 PROPOSED SECTIONS & NORTH ELEVATION
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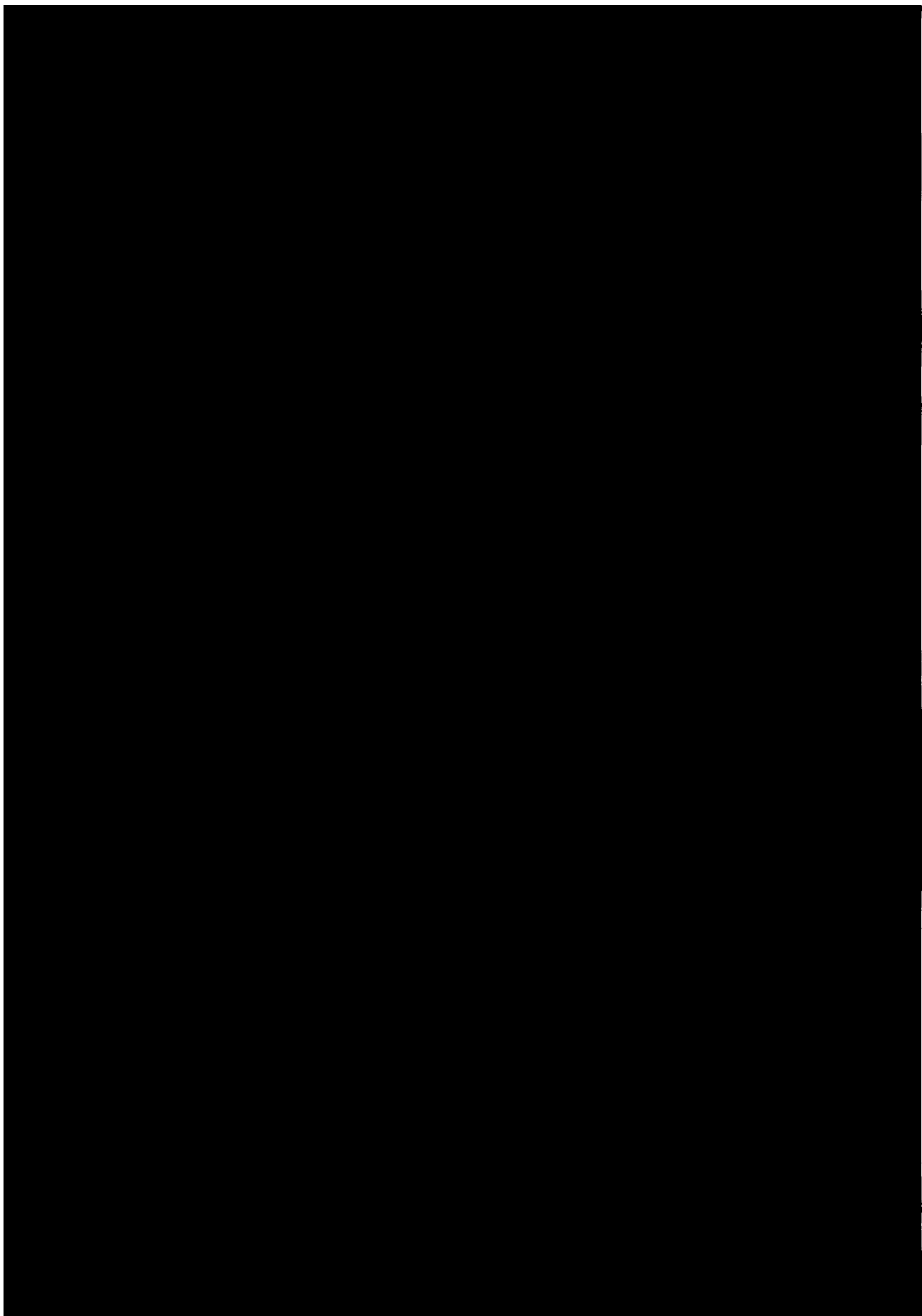


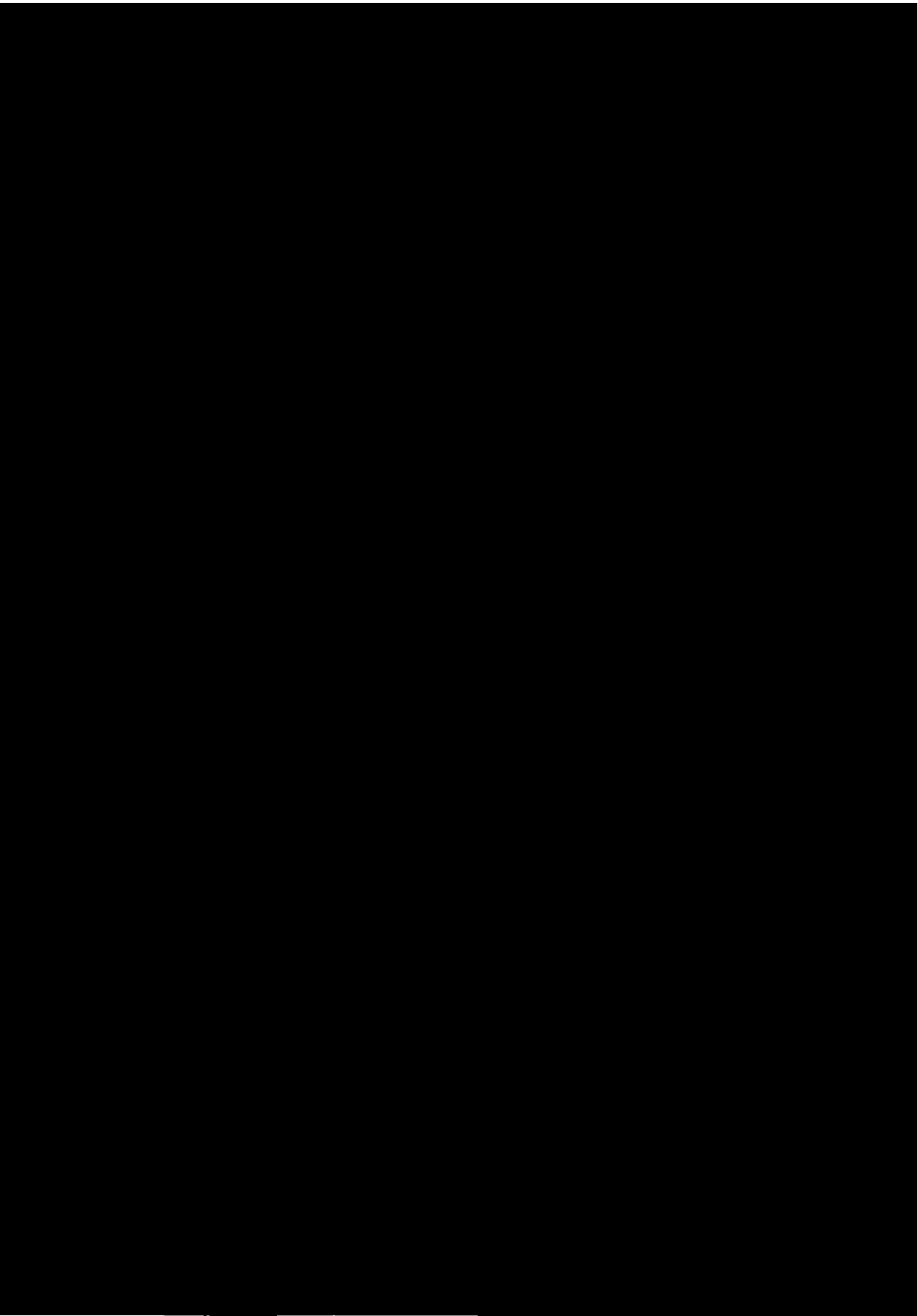
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RYEDALE DM
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 DEVELOPMENT
 MANAGEMENT



PROPOSED ALTERATIONS TO EXISTING DWELLING & COTTAGE
 AT: EAST HOUSE, SCHOOL LANE, NAWTON, YORK, YO62 7GF
 FOR: MR & MRS STUART PICKERING
 DRAWING 06 REVISION G: 17/09/17
 PROPOSED SECTIONS & NORTH ELEVATION
 SCALE 1:100 @A3 David Ward Architectural
 01751 476 865 davidward589@btinternet.com







Nawton Parish Council

c/o Anne Twine (Clerk)
Melrose House, 1 Southlands Court,
Nawton, North Yorkshire YO62 7RF

Karen Hood
Managing Development Team Leader
Ryedale District Council
Ryedale House
Malton
N. Yorkshire YO17 7HH

24th July 2017

Dear Karen

Planning application NO: 17/00773/FUL

Nawton Parish Council has the following observations to make on the above application.

- That the planning committee should ensure a site visit takes place in respect of the loss of light to Byre Cottage, which sits approximately 1m lower than East House, and may be impacted by the addition of a second storey at the western end.
- That school lane itself is in poor condition at present, and consideration would therefore need to be made regarding site traffic and the impact that this would have on any further deterioration of the lane.
- Nawton Primary School, and restrictions should be considered on the movement of site traffic when children are likely to be arriving / departing.
- We feel that the proposed addition of off-road parking would be beneficial in reducing the number of vehicles parked on school lane.

Yours sincerely
Anne Twine
Clerk

Agenda Item 11

Item Number: 11
Application No: 17/01155/LBC
Parish: Pickering Town Council
Appn. Type: Listed Building Consent
Applicant: Mr & Mrs Potter
Proposal: External and internal alterations to include replacement of 1no. rear timber windows with which are to be retained timber double glazed window, secondary glazing to the front and rear windows, installation of conservation rooflight to the rear roof slope, installation of boiler flue and extractor vent to rear wall and internal layout alterations.
Location: 16 Undercliffe Pickering North Yorkshire YO18 7BB
Registration Date: 22 September 2017
8/13 Wk Expiry Date: 17 November 2017
Overall Expiry Date: 16 November 2017
Case Officer: Emma Woodland **Ext:** 324

CONSULTATIONS:

Parish Council No objections

Neighbour responses:

SITE:

16 Undercliffe, Pickering is a Grade II listed building within the designated Pickering conservation area. The building is a stone and pantile cottage that forms part of a row of which no's 14-19 are also listed. According to the list description the cottages date from the early 19th century and are positioned close to the edge of the pavement which is raised above street level. No. 16 is considered to be in need of sympathetic refurbishment and is currently unoccupied.

PROPOSAL:

External and internal alterations to include replacement of 1no. rear timber windows with which are to be retained timber double glazed window, secondary glazing to the front and rear windows, installation of conservation rooflight to the rear roof slope, installation of boiler flue and extractor vent to rear wall and internal layout alterations.

HISTORY:

There is no relevant planning history relating to the current proposal.

POLICY:

The Ryedale Plan – Local Plan Strategy (2013)

SP12 – Heritage

National Planning Policy Framework (NPPF) (2012)

APPRAISAL:

The main Considerations within the determination of this application are:

The effect of the proposed works on the special interest of the listed building and the character and appearance of the conservation area having special regard to their preservation.

The works are relatively minor in nature and propose internal re-ordering of modern partitions at ground and first floor level and general refurbishment including secondary glazing. The boiler flue and conservation rooflight are located on the rear elevation and positioned in a discreet location. The extent of window replacement to the rear has been reduced to 1, to reflect a more detailed condition survey which demonstrated that the other windows could be retained and repaired as is best practice on a listed building. The proposal will preserve the listed building and enhance the conservation area in a sympathetic refurbishment of an empty cottage.

Other Matters, including consultation responses

Pickering Town Council has no objection to the application. No other letters of representation have been received.

The application is required to be a Planning Committee Decision because the applicant is a Member of Ryedale District Council. In light of the above considerations, subject to the recommended conditions, this application is considered to satisfy the relevant Policy criteria outlined within Policy SP 12 of the Ryedale Plan and the NPPF and is recommended for approval.

RECOMMENDATION: Approval

- 1 The development hereby permitted shall be begun on or before .

Reason: To ensure compliance with Section 18(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: 170811 dated Sept 2017 the detail of which was subsequently amended by e-mail dated 07.11.2017 deleting the removal of 1 ground floor rear fixed window and 1 first floor window.

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

- 3 Unless otherwise agreed in writing, the conservation rooflight shall be of a top hinged opening type.

Reason: To preserve the appearance of the listed building and Pickering conservation area

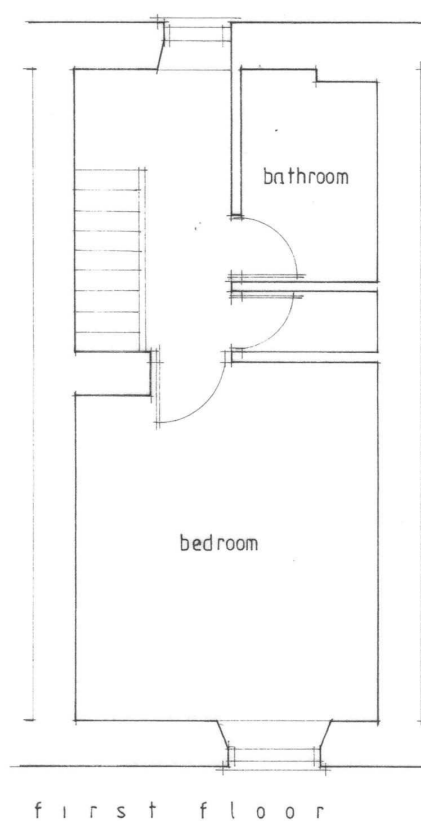
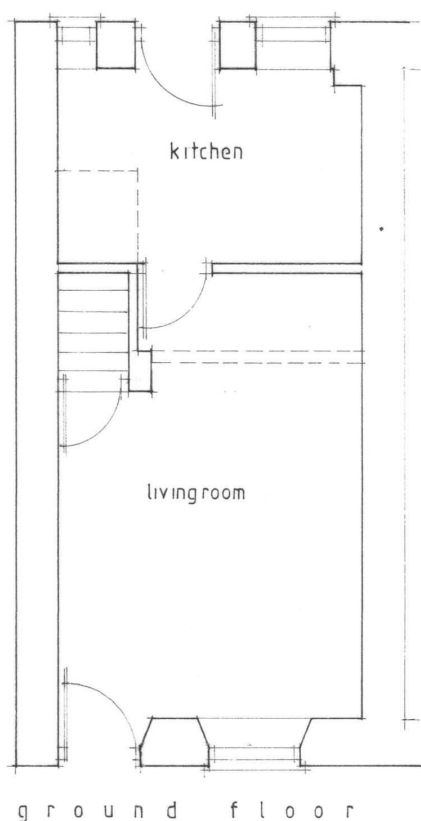
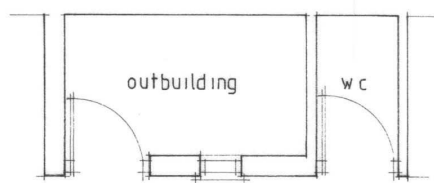
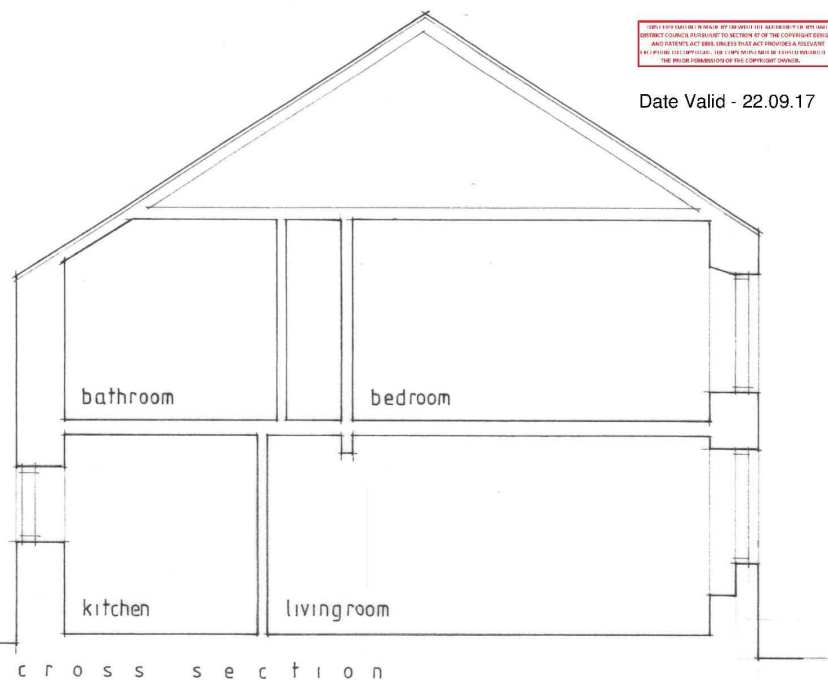
PETER RAYMENT design

Architectural Designers • Peter Rayment • Richard Waller

title: survey drawing
project: 16 Undercliffe
Pickering
client: Mr & Mrs Potter
Peter Rayment Design Ltd, Uppang, Wessington, Thornton le Dale, Pickering YO18 7SG. 01751 472541 <praymendesig@gmail.com>
dwg No: 170 811
scale: 1:50 @ A3
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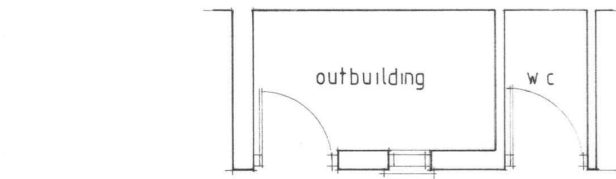
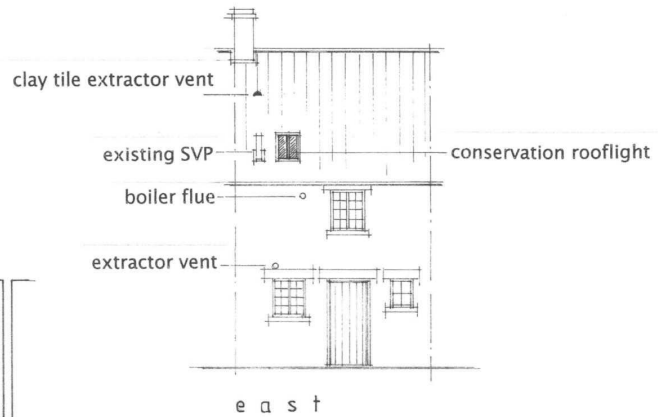
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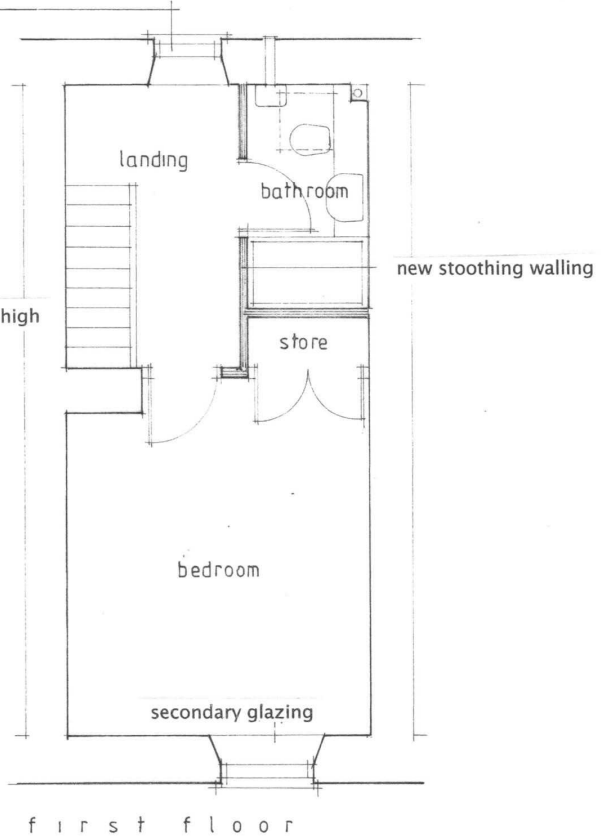
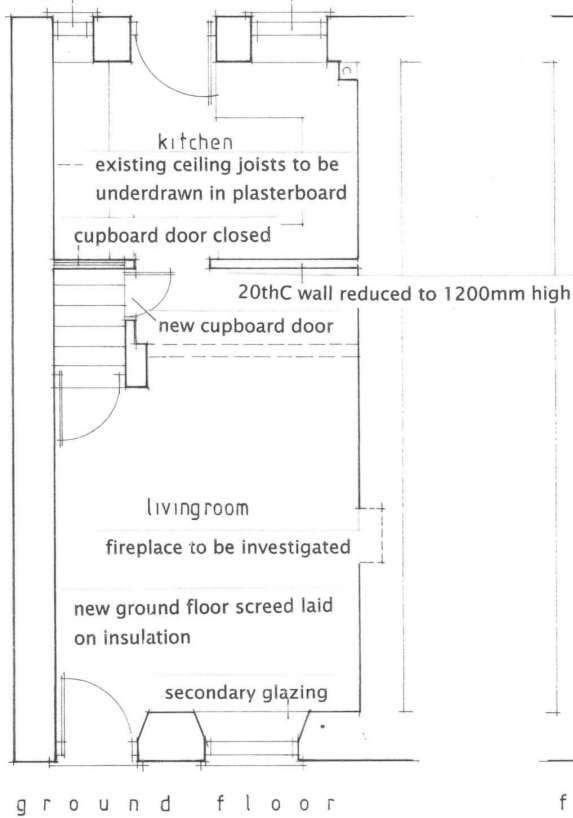
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replacement fixed light window
with slimlite double glazing

replacement Yorkshire sash window
with slimlite double glazing



PETER
RAYMENT design

Architectural Designers • Peter Rayment • Richard Waller

title: proposals
project: 16 Undercliffe
Pickering
client: Mr & Mrs Potter

dwg No: 170 811 | 02 | -

scale: 1:100 @ A3

Peter Rayment Design Ltd, Uppang, Westgate, Thornton le Dale, Pickering YO18 7SG t:01751 472541 e:raymentdesign@gmail.com

Design and Heritage Statement for proposed alterations at 16 Undercliffe, Pickering. YO18 7BB For Mr & Mrs Potter

DATE: 21st September 2017

VERSION: 01

Overview

16 Undercliffe is a C19 two storey house situated to the east side of Undercliffe in Pickering. It is constructed in coursed stone with a pantile roof.



Front Elevation from Undercliffe



Rear elevation



Kitchen window



Landing window

Design

The aim of the proposed works is to renovate the entire property. Previous alterations to the interior of the building (presumably undertaken in the C20) detract from the character of the property and the proposed minor revisions to the internal layout shown on drawing number 170 811 02 will help to mitigate these.

External alterations are limited to the rear elevation which is not mentioned in the listing. These alterations will provide for essential heating and ventilation installations together with replacement of decayed window frames and the provision of daylight and ventilation to the first floor bathroom.

The installation of Slimlite double glazed units in replacement window frames to the rear elevation and secondary glazing the front elevation windows will allow for energy conservation without detracting from the character and appearance of the property.

Heritage Statement

The heritage assets for the site are identified as the listed building and conservation area both in its built and natural forms. The significance of the heritage assets associated with this site are the surrounding buildings and their setting within the conservation area. The conservation area includes a variety of domestic and commercial properties of various ages and styles but is characterised by traditional stone and brick buildings with pantiles roofs.

16 Undercliffe along with adjoining properties is Grade II Listed as a group of buildings.

Statement from Historic England

UNDER CLIFFE 1. 5340 (East Side) Nos 14 to 19 (consec) SE 7984 3/382 II GV 2. Early C19, Terrace of cottages of 2 storeys in coursed stone with pantile roof with kneelers to gable ends. 6 brick stacks. 6 windows, hung sashes with glazing bars, stone lintels with incised keystones. Nos 14 and 15 have modern glazing on both floors. 1 window each to ground floor lintels with keystones. Doors of 6 fielded panels, rectangular fanlights, some blocked. 2 steps up. Modern doors to Nos 14 and 15. Plinth.

Nos 8 to 19 (consec) form a group, Nos 8 to 12 being of local interest.

Listing NGR: SE7973484409

Impact

In assessment of impact, the proposed works are modest in scale and will have no impact on the existing frontage. The internal walls which are to be removed are of modern timber stud type and do not form part of the historic fabric of the building.

From: Pickering Town Council [<mailto:townclerk@pickering.gov.uk>]
Sent: 17 October 2017 08:05
To: Development Management <development.management@ryedale.gov.uk>
Subject: Recent planning applications

No Objections

- 17/01155/LBC – external and internal alterations to include replacement of three rear timber windows by timber double glazed windows, secondary glazing to the front windows, installation of conservation rooflight to the rear roof slope, installation of boiler flue and extractor vent to the rear wall and internal layout alterations at 16 Undercliffe. [EMMA](#)

Andrew Husband
Clerk to the Council

Agenda Item 12

Item Number: 12
Application No: 17/01314/FUL
Parish: Pickering Town Council
Appn. Type: Full Application
Applicant: Mr & Mrs Oxley
Proposal: Extension to existing car park providing an additional 3no. car parking spaces and creating a wider vehicular access to the site to include removal of part of brick dividing wall
Location: Burgate House Hotel 17 Burgate Pickering YO18 7AU
Registration Date: 30 October 2017
8/13 Wk Expiry Date: 25 December 2017
Overall Expiry Date: 14 December 2017
Case Officer: Emma Woodland **Ext:** 324

CONSULTATIONS:

Parish Council Concerns
Highways North Yorkshire

Neighbour responses: Ms Cathy Long, Mr James Robinson, Ms Susannah Turton, John Beardsley, Gillian & Alan Beardsley, Andrew & Elisabeth Gadsby, Mr Maurice Allanson,

Site:

17 Burgate Pickering fronts onto Burgate and lies within the Pickering conservation area. It currently operates as a Bed and Breakfast with car parking to its rear accessed off Willowgate. The application site lies immediately to the north of the carpark of No. 17, and is located to the rear of no's 18, 19 and 20 Burgate. All properties are within the conservation area and No. 19 is a Grade II listed building. The site is currently a garden which can be accessed by a narrow pedestrian passage from Willowgate to the southern side of a traditional stone outbuilding. The site is currently bounded by a brick wall to the south, and a combination of hedging and timber fences elsewhere. A pedestrian right of way to No. 20 Burgate has been fenced off to the east and north boundaries. Public views of the site are not possible due to the presence of the outbuilding to the east, the circa 2 metre high wall to the south and private gardens to the north.

Proposal:

The application proposes: Extension to existing car park providing an additional 3no. car parking spaces and creating a wider vehicular access to the site to include removal of part of brick dividing wall.

Relevant History:

17/00257/FUL- Withdrawn application from March 2017 proposed 'Extension to existing car park providing an additional 5no. car parking spaces and creating a wider vehicular access to the interior of the site to include removal of part of brick dividing wall.'

Policy Considerations:

SP12- Heritage- Local Plan Strategy
SP20- Generic Development Management Issues- Local Plan Strategy
National Planning Policy Framework

Appraisal:

This application proposes the change of use of a garden into a carpark providing 3 vehicle spaces. It has been confirmed by the applicants' agent that the car parking spaces will serve the occupiers/visitors to No's 18 and 19 Burgate. Gaining vehicular access to the site will involve the demolition of a section of wall circa 4 metres in length and the re-surfacing of the ground to include grasscrete paving. New box hedging is proposed to de-lineate the existing pedestrian right of way to the east and north of the site and the gardens to No's 18, 19 will be extended and formalised with a new fence. In addition, the boundary to No. 20 will be formalised with a new fence.

The amount of car parking proposed has been reduced from 5 spaces required in the previously withdrawn application to 3 car spaces in the current application. The section of wall proposed for removal has been reduced from circa 14 metres in length to circa 4 metres in length. The section of wall to be removed is located around 9.5 metres into the depth of the site from Willowgate.

The wall proposed for removal is constructed from brown/buff bricks and finished with a stone coping and set in lime mortar. The wall contributes to the character of the conservation area in that it is a traditional masonry wall which has been well built and well detailed. The removal of a section of 4m of walling is considered to have some harm to the character of the conservation area. It is considered however that the degree of harm caused is negligible to the overall character of the conservation area and that the harm has been mitigated to a large degree by minimising the amount of wall removed; the good design detailing of the remaining sections with brick piers. The removed portion is also set well within the depth of the site and therefore less readily visible from public areas.

Some loss of part of the garden can also be identified as being harmful to the character of the conservation area. However the degree of harm is very much 'less than less than substantial', as the garden is not visible nor can it be readily experienced by the public. In addition, the very minor harm caused by the loss of the garden has been mitigated to some extent by the proposed use of grasscrete surfacing and green landscaping.

The increased and better defined curtilage to No's 18 and 19 Burgate is an improvement on the existing situation. 19 Burgate is a Grade II listed building and as such the improved curtilage can be identified as a heritage benefit to the property. In addition, it is considered that the wider benefit of the creation of 3 car parking spaces to properties with no current formalised off-street car parking is a benefit. It will remove on-street car parking and provide a formalised arrangement to existing dwellings, 1 of which is a listed building. It is considered therefore that the very minor degree of harm caused to the conservation area is off set by the identified heritage benefits and wider public benefits of the application as proposed.

Other Matters Including Consultation Responses

North Yorkshire County Highways have been consulted on the application and at this point in time their written comments are still outstanding. Members will be updated of a formal response as and when received in the Late Pages or at the meeting.

There have been a number of neighbour responses objecting to the application. These comments can be themed into traffic safety- Willowgate being a narrow and busy road. Concerns regarding the conservation area have also been expressed in the loss of the garden and the loss of the wall. Full copies of all third party comments can be inspected on the Council's website.

Pickering Town Council have expressed concerns regarding the application in relation to the impact on the character of the conservation area, and the adverse impact of neighbours through the noise created by vehicles and the highway implications of increased traffic on Willowgate.

Matters relating to the conservation area have already been appraised above. It is noted that the additional spaces are accessed off the existing car park which serves the bed and breakfast accommodation at No. 17. The potential for additional noise disturbance is considered by Officers' to be relatively minor in the overall planning balance.

RECOMMENDATION:

Approval

- 1 The development hereby permitted shall be begun on or before .

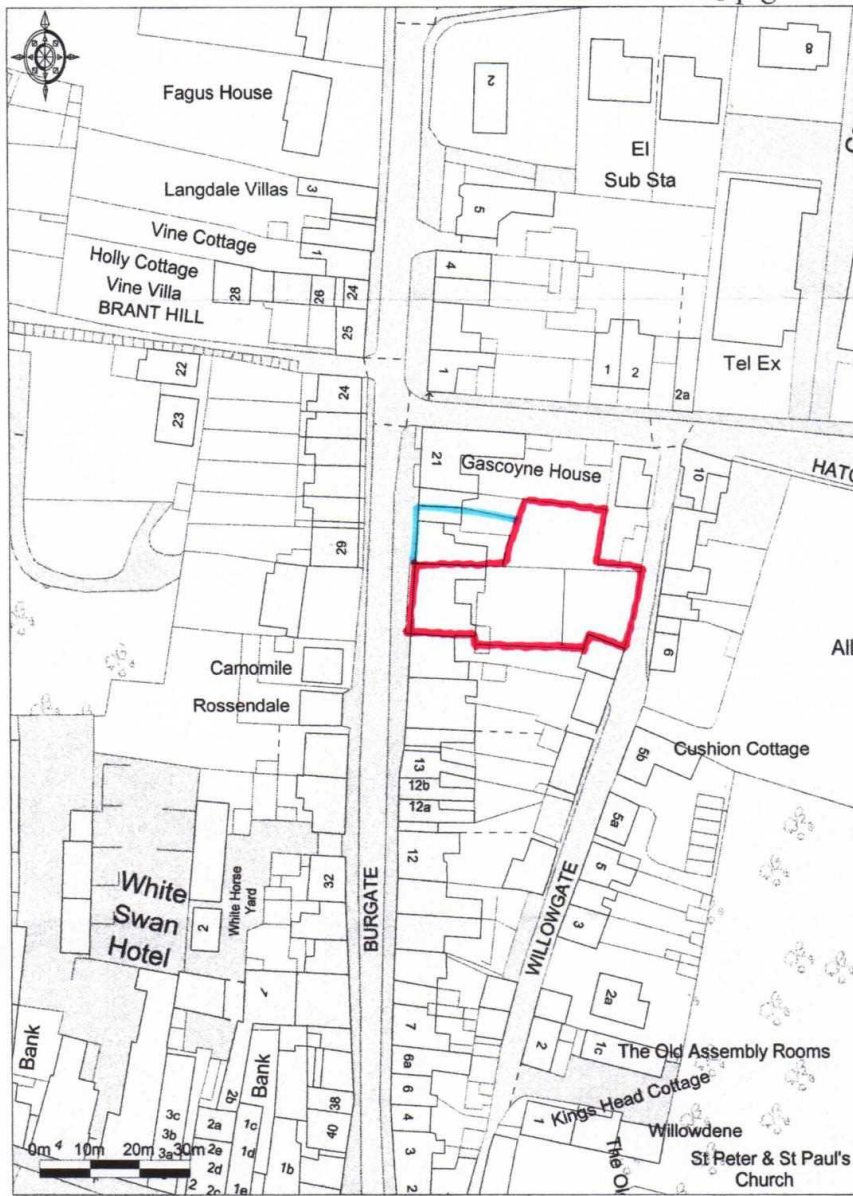
Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 The development hereby permitted shall be carried out in accordance with the following approved plan;

Drawing No. 170 906 02

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Once created, the parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times and used solely by the occupiers/visitors to 18 and 19 Burgate.

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.
- 4 Within the first planting season after the commencement of the development hereby permitted (or such longer period as may be approved in writing by the Local Planning Authority) the proposed hedge planting shall be undertaken. Any failure within 5 years of planting shall be replanted with plants of a similar species and specification.

Reason: To preserve the character of the conservation area.



Promap

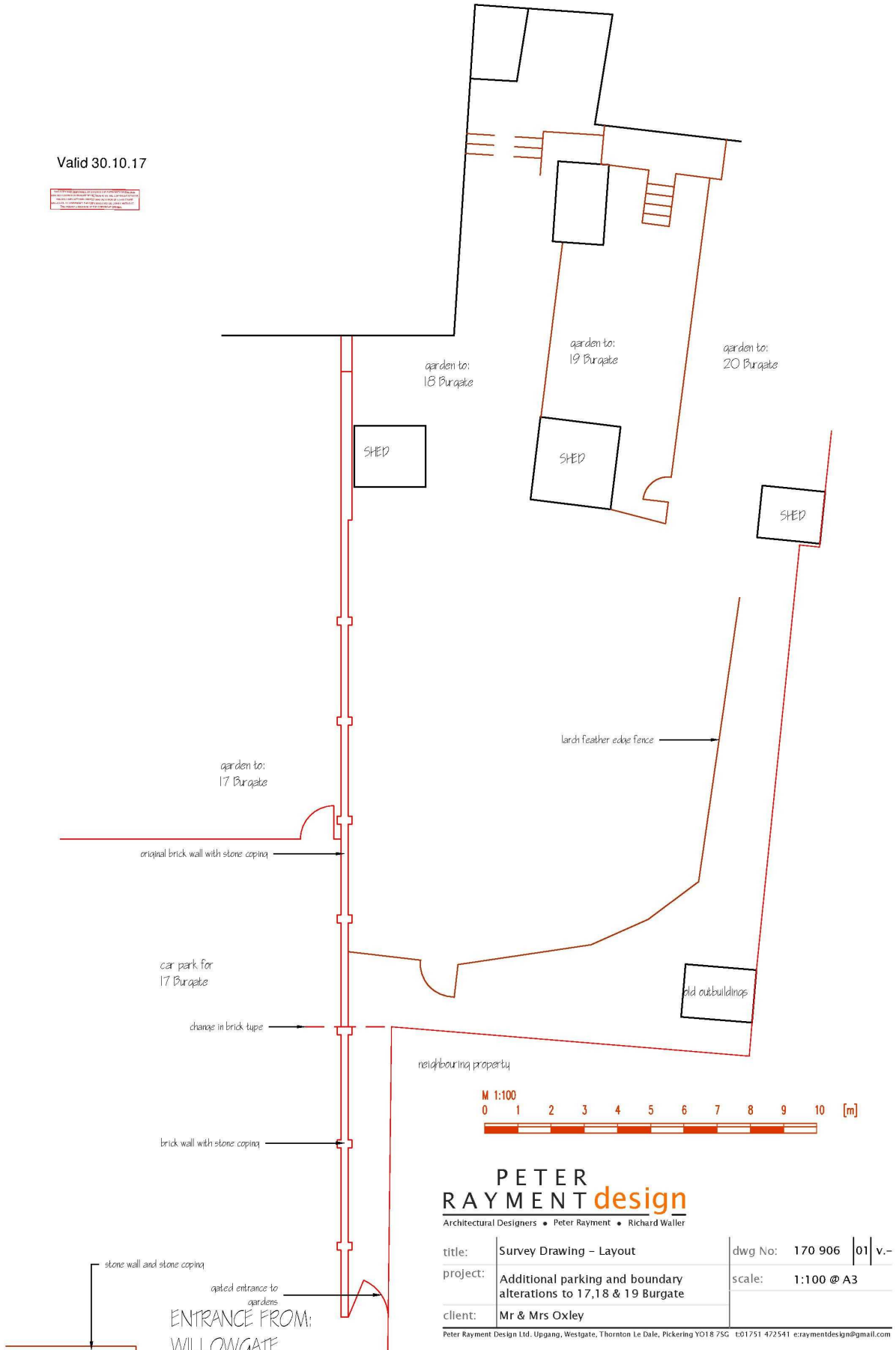
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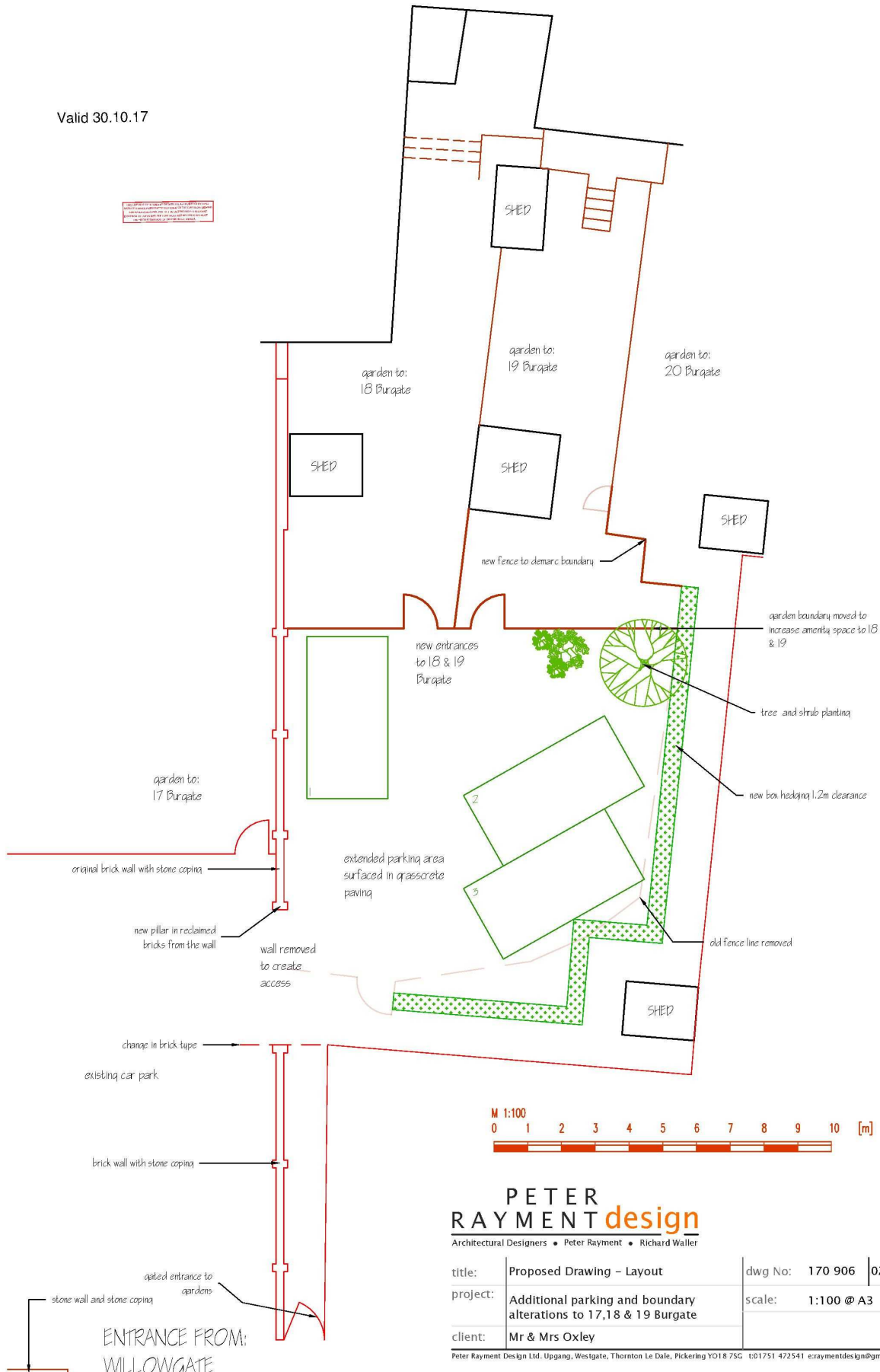
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DESIGN AND ACCESS STATEMENT

30TH October 2017

PROPOSED EXTENSION TO EXISTING CAR PARKING AREA AT BURGATE HOUSE. PICKERING. FOR MR & MRS OXLEY.

Burgate House, 17 Burgate fronts on to Burgate and its garden and parking area runs through to Willowgate where it has the benefit of vehicular access. The proposed extension to the parking area comprises an existing disused piece of land to the north of the existing parking area.

Burgate House site extends to 630 square metres and the proposed extension 252 square metres. Both areas of land are within the towns development limits and conservation area as defined by the Ryedale Local Plan.

We are proposing minimal changes which would provide significant improvements to vehicular access and parking arrangement by providing an additional 3No car parking spaces. The land would require clearing of vegetation and a grasscrete surface being laid to provide a discrete hard surface suitable for vehicles. The existing buttressed brick wall would have a 4m section removed to create the access and be made good in reclaimed bricks to match the original.

The existing overall perimeter boundary to 18 & 19 Burgate will be altered to give additional enmity space to the two dwellings. Timber fencing will be used to delineate the spaces. The area will be landscaped with box hedging and some native shrub and tree planting.

The Existing pedestrian access to Nos 18–20 Burgate will be reinstated as is.

The Ryedale Plan, Local Plan Strategy Policies SP12, SP16, SP19 & SP20 are relevant and have been examined together with National Planning Policy at the Pre Application stage 16/01636/PREAPP refers. The proposed works are minor and will be of benefit in provide additional car parking spaces.

Peter Rayment Design Ltd

From: Pickering Town Council
Sent: 22 November 2017 10:38
To: Development Management
Subject: Planning Application no 17/01314/FUL

The council has considered Planning Application no 17/01314/FUL - extension to existing car park providing an additional three car parking spaces and converting a wider vehicle access to the site to include removal of part of brick dividing wall, Burgate House Hotel, 17 Burgate.

The council was not convinced that the creation of additional off road parking would enhance this part of the conservation area and there was concern that about the possible material adverse impact on those who lived in neighbouring properties through the noise created by accessing and egressing vehicles as well as the movement of vehicles. The vehicular movement to and from the car park, via Willowgate, a narrow thoroughfare, would be increased. Despite a highway restriction on vehicular movement in Willowgate, there was concern that any increase in traffic along the thoroughfare made it an area where great care had to be taken by drivers and pedestrians alike.

Andrew Husband
Clerk to Pickering Town Council

Agenda Item 14

RYEDALE DISTRICT COUNCIL

APPLICATIONS DETERMINED BY THE DEVELOPMENT CONTROL MANAGER IN ACCORDANCE WITH THE SCHEME OF DELEGATED DECISIONS

8th December 2017

1.

Application No:	17/00877/FUL	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	Mr C Avison	
Location:	Land South Of Lane View Farm Upper Carr Lane Pickering YO18 8EA	
Proposal:	Erection of a general purpose agricultural storage building	

2.

Application No:	17/01037/FUL	Decision: Approval
Parish:	Lillings Ambo Parish Council	
Applicant:	Mr & Mrs Wormald	
Location:	Field To Rear Of Rose Cottage Goose Track Lane West Lilling YO60 6RR	
Proposal:	Erection of a detached building comprising a double garage and 2no. stables with tack room to include a section of access track to serve the dwelling approved by 14/01083/FUL dated 26.01.2015	

3.

Application No:	17/01083/HOUSE	Decision: Approval
Parish:	Malton Town Council	
Applicant:	Mr Patrick Robertson	
Location:	The Hirsell Lascelles Lane Old Malton Malton North Yorkshire YO17 7HQ	
Proposal:	Erection of replacement detached single garage including front extension for domestic use of The Hirsell on domestic curtilage land separate from the dwelling	

4.

Application No:	17/01091/FUL	Decision: Approval
Parish:	Crambe Parish Council	
Applicant:	Mr & Mrs MacNichol	
Location:	Beck Farm Main Street Crambe Malton YO60 7JR	
Proposal:	Demolition of existing agricultural steel frame shed, timber framed dutch barn and masonry cow shed, erection of a two storey linked domestic extension to the dwelling to replace the dutch barn and cow shed and change of use and alteration of the agricultural barns/outbuildings to form guest/ancillary accommodation, office, artists studio space and storage all for the private use of the applicants	

5.

Application No:	17/01108/HOUSE	Decision: Approval
Parish:	Kirkbymoorside Town Council	
Applicant:	Mrs Yvonne Turnbull	
Location:	1 Anvil Cottage Kirk Forge Piercy End Kirkbymoorside YO62 6JA	
Proposal:	Replacement of 7 no. windows from timber framed single glazed to UPVC double glazed windows.	

6.

Application No:	17/01111/FUL	Decision: Approval
Parish:	Aislaby, Middleton & Wrelton Parish	
Applicant:	Mr & Mrs Aucutt	

Location: Land Adjacent To Stone Gables Back Lane South Middleton Pickering North Yorkshire
Proposal: Erection of a four bedroom dwelling with detached garage

7.

Application No: 17/01112/HOUSE **Decision: Approval**
Parish: Rillington Parish Council
Applicant: Mr Ben Manderson
Location: 14 Westgate Rillington Malton YO17 8LN
Proposal: Erection of single storey side extension

8.

Application No: 17/01118/FUL **Decision: Approval**
Parish: Coulton Parish Council
Applicant: Captain and Mrs Ogden
Location: Potter Hill Farm Coulton Lane Coulton Helmsley North Yorkshire YO62 4NG
Proposal: Extension and alteration of existing outbuildings to form farm office, 2 bedroom staff apartment, gym and changing room (revised details to part of approval 14/00037/FUL dated 10.04.2014).

9.

Application No: 17/01116/GPAGB **Decision: Approval**
Parish: Edstone Parish Meeting
Applicant: Mr Peter Johnson
Location: Barns At Little Edstone House Great Edstone Kirkbymoorside
Proposal: Change of use of agricultural barns to 2no. one bedroom dwellings (Use Class C3)

10.

Application No: 17/01117/HOUSE **Decision: Approval**
Parish: Claxton Parish Council
Applicant: Mr Miles Pote
Location: Five Steps Main Street Claxton Malton YO60 7SD
Proposal: Replacement of existing UPVC windows with new UPVC windows in Anthracite Grey

11.

Application No: 17/01125/TPO **Decision: Approval**
Parish: Malton Town Council
Applicant: Mr Michael Leadbeater
Location: Rudstone House 15 York Road Malton North Yorkshire YO17 6AX
Proposal: Overall crown reduction of Yew-T38 by up to 2m. Overall crown reduction of Yews T29, T30, T31 by up to 2m - all in TPO 247A/1999

12.

Application No: 17/01128/FUL **Decision: Approval**
Parish: Settrington Parish Council
Applicant: Mr & Mrs M Oloumi
Location: Woodside Cottage Beverley Road Norton Malton North Yorkshire YO17 9NG
Proposal: Change of use and alteration of part of outbuilding to form a 1 no. bedroom holiday cottage with parking area

13.

Application No: 17/01133/FUL **Decision: Approval**
Parish: Malton Town Council

Applicant: Grange Developments Yorkshire Ltd (Mr Andrew Hague)
Location: Greens Furniture World Newgate Malton YO17 7LF
Proposal: Change of use and alteration of former retail premises to 6no. 1 bedroom apartments and 1no. retail unit (Use Class A1) following the demolition of existing rear extensions

14.
Application No: 17/01134/LBC **Decision: Approval**
Parish: Malton Town Council
Applicant: Grange Developments Yorkshire Ltd (Mr Andrew Hague)
Location: Greens Furniture World Newgate Malton YO17 7LF
Proposal: Conversion and alteration of former retail premises to 6no. 1 bedroom apartments and 1no. retail unit following the demolition of existing rear extensions, to include alterations to fenestration and internal layout

15.
Application No: 17/01141/FUL **Decision: Approval**
Parish: Thornton-le-Dale Parish Council
Applicant: T J V S Man (Mr Stuart Man)
Location: Low Grundon House Farm Fox Lane Thornton-Le-Dale Pickering North Yorkshire YO18 7RB
Proposal: Concreting of 843 square metres of existing farm yard.

16.
Application No: 17/01147/FUL **Decision: Approval**
Parish: Amotherby Parish Council
Applicant: Habton Farms (Mr Tim Easterby)
Location: Manor House Farm Newsham Bridge Amotherby Malton North Yorkshire YO17 6TZ
Proposal: Formation of an area of approximately 2162sqm of concrete hardstanding within farmyard to replace hardcore surface

17.
Application No: 17/01148/FUL **Decision: Approval**
Parish: Habton Parish Council
Applicant: Habton Farms (Mr Tim Easterby)
Location: Whiteholme Farm Habton Lane Great Habton Malton North Yorkshire YO17 6TY
Proposal: Formation of an area of approximately 850sqm of concrete hardstanding within farmyard to replace existing hardcore surface

18.
Application No: 17/01156/FUL **Decision: Approval**
Parish: Malton Town Council
Applicant: GFP II Ltd (Mr James Hartley)
Location: Land Off Freehold Lane Old Malton Malton North Yorkshire
Proposal: Installation of a Gas fuelled capacity mechanism embedded electricity generation plant to support the National Grid to include formation of vehicular access from Freehold Lane

19.
Application No: 17/01157/HOUSE **Decision: Approval**
Parish: Ebberston Parish Council
Applicant: Mr & Mrs Sainsbury
Location: Penrhyn Cottage 48 Main Street Ebberston Scarborough YO13 9NS

Proposal: Erection of single storey extension to south elevation and partial demolition of detached outbuilding

20.

Application No:	17/01160/TPO	Decision: Approval
Parish:	Pickering Town Council	
Applicant:	Mr Richardson	
Location:	1 Norman Close Pickering YO18 7AZ	
Proposal:	T1; Sycamore; Removal of epicormic stem growth and crown thin by 10%, T2; Beech; Thin northern scaffold limb by 10% of TPO no. 35/1966	

21.

Application No:	17/01170/FUL	Decision: Approval
Parish:	Scrayingham Parish Council	
Applicant:	S & S Wood (Mr Stuart Wood)	
Location:	Poplar House Farm Leppington Lane Leppington Malton North Yorkshire YO17 9RL	
Proposal:	Formation of an area of approximately 500sqm of concrete hardstanding within farmyard to replace existing hardcore surface	

22.

Application No:	17/01172/HOUSE	Decision: Approval
Parish:	Sheriff Hutton Parish Council	
Applicant:	Mr & Mrs Tolley	
Location:	West Haven New Lane Sheriff Hutton YO60 6QU	
Proposal:	Erection of two storey extension to the north elevation and single storey extension to the rear together with erection of front entrance porch, installation of 3no. rooflights to the rear and front elevation roofslopes and alterations to existing doors and windows.	

23.

Application No:	17/01174/TPO	Decision: Partial Approve/Refuse
Parish:	Welburn (Malton) Parish Council	
Applicant:	Mr Geffrey Candler	
Location:	27, 28 And 29 Crambeck Village Welburn Malton North Yorkshire YO60 7EZ	
Proposal:	T1 Ash - Prune branches over garden at No.28 back to boundary, T2 Horse Chestnut - Reduce by 4m overhanging limb, T3 Sycamore multi stemmed - Fell trunk A, Fell Trunk C and T4 Sycamore - Fell.- of TPO 202B/1994	

24.

Application No:	17/01175/HOUSE	Decision: Refusal
Parish:	Barton-le-Street Parish Meeting	
Applicant:	Mr Eric Fairbank	
Location:	Lyndhurst Main Street Appleton Le Street Malton YO17 6PG	
Proposal:	Erection of a side extension that provides additional lower ground floor, ground floor, first floor and second floor space together with erection of front porch and installation of 3no. dormer windows to existing rear (north) roofslope (revised details to approval 16/01403/HOUSE dated 11.10.2016)	

25.

Application No:	17/01177/FUL	Decision: Approval
Parish:	Habton Parish Council	
Applicant:	M Ward & Son (Mr David Ward)	
Location:	Wellfield Farm Kirby Misperton Lane Great Habton Malton North Yorkshire YO17 6TU	

Proposal: Formation of an area of approximately 365sqm of concrete hardstanding within farmyard to replace existing hardcore surface

26.

Application No:	17/01182/HOUSE	Decision: Approval
Parish:	Marton Parish Meeting	
Applicant:	Mr & Mrs Sturdy	
Location:	The Crofts Marton Road Marton Kirkbymoorside YO62 6RD	
Proposal:	Erection of open fronted attached covered area to side of existing garage	

27.

Application No:	17/01183/LBC	Decision: Approval
Parish:	Marton Parish Meeting	
Applicant:	Mr & Mrs Sturdy	
Location:	The Crofts Marton Road Marton Kirkbymoorside YO62 6RD	
Proposal:	Erection of open fronted attached covered area to side of existing garage	

28.

Application No:	17/01185/HOUSE	Decision: Approval
Parish:	Norton Town Council	
Applicant:	Mr Andrew Windsor	
Location:	4 Heather Court Norton Malton North Yorkshire YO17 8BT	
Proposal:	Erection of two storey and single storey extension to south elevation	

29.

Application No:	17/01188/HOUSE	Decision: Approval
Parish:	Hovingham Parish Council	
Applicant:	Mr P Fairbrother	
Location:	Brinkburn Barn Brookside Hovingham YO62 4LG	
Proposal:	Erection of a timber workshop/storage shed for domestic use within the existing partly open sided Dutch Barn	

30.

Application No:	17/01191/73	Decision: Approval
Parish:	Flaxton Parish Council	
Applicant:	Mr Will Crowther	
Location:	Wayside Rice Lane Flaxton YO60 7RN	
Proposal:	Variation of Condition 02 of approval 17/00788/HOUSE dated 04.09.2017 - revised floor plans, elevations and site layout Condition Number(s): 02 Conditions(s) Removal: Two new windows inserted into porch side walls and new windows changed from uPVC to aluminium Drawing numbers to be revised in condition no 2 to read: Proposed Elevation - Drawing NO: CRO/496/01/31A Proposed Floor Plans - Drawing No: CRO/496/01/21A	

31.

Application No:	17/01193/HOUSE	Decision: Approval
Parish:	Aislaby, Middleton & Wrelton Parish	
Applicant:	Mr Paul Sellars	
Location:	1 Cawthorne Lane Wrelton Pickering YO18 8PQ	
Proposal:	Erection of a two storey side extension	

32.

Application No:	17/01196/73	Decision: Approval
Parish:	Pockley Parish Council	

Applicant: Haxton Developments Ltd
Location: Low Farm Main Street Pockley Helmsley YO62 7TE
Proposal: Variation of Condition 03 (holiday accommodation restrictions) and Condition 04 (ancillary domestic accommodation restrictions) of approval 17/00839/73 dated 11.09.2017

33.
Application No: 17/01197/GPAGB **Decision: Prior Approval Refused**
Parish: Luttons Parish Council
Applicant: Ms Lynne Porter
Location: Buildings At Old Manor Farm Main Road Helperthorpe Malton North Yorkshire
Proposal: Change of use of agricultural building to form a 5 no. bedroom dwelling (Use Class C3)

34.
Application No: 17/01221/FUL **Decision: Approval**
Parish: Barton-le-Willows Parish
Applicant: S A Bell
Location: S A Bell Old York Road Barton Hill Malton North Yorkshire YO60 7JX
Proposal: Change of use of building to include Use Class B1 (light industrial) in addition to existing Use Class B8 (storage and distribution)

35.
Application No: 17/01232/FUL **Decision: Approval**
Parish: Swinton Parish Council
Applicant: Mr & Mrs Blades
Location: Blacksmiths Arms Malton Road Swinton Malton YO17 6SQ
Proposal: Erection of single storey rear extension to form additional restaurant seating and beer cellar/store and alterations to internal layout to include alterations to existing stores to form a one bedroom holiday let at first floor level and kitchen prep/overflow dining area at ground floor level together with raised decking area to the rear.

36.
Application No: 17/01234/TPO **Decision: Approval**
Parish: Welburn (Malton) Parish Council
Applicant: Crambeck Management Co.
Location: Land At Crambeck Village Welburn Malton North Yorkshire
Proposal: Crown reduction of turkey oak in A1 by up to 3m - TPO 94/00202B

37.
Application No: 17/01233/HOUSE **Decision: Approval**
Parish: Pickering Town Council
Applicant: Mr C Ruston
Location: 20 Ruffa Lane Pickering YO18 7HN
Proposal: Erection of single storey extension to rear and side following demolition of existing conservatory and car port.

38.
Application No: 17/01240/FUL **Decision: Approval**
Parish: Marishes Parish Meeting
Applicant: PR & SP Boyes (Mr Simon Boyes)
Location: Deerholme Grange Howe Bridge To Bellerbyburn Road Low Marishes Malton North Yorkshire YO17 6UG
Proposal: Formation of 580 square metres of concrete hardstanding.

39.

Application No:	17/01244/HOUSE	Decision: Approval
Parish:	Kirkbymoorside Town Council	
Applicant:	Mr Brian Hawes	
Location:	5 Lime Chase Kirkbymoorside North Yorkshire YO62 6BX	
Proposal:	Erection of single storey rear extension.	

40.

Application No:	17/01263/HOUSE	Decision: Approval
Parish:	Great & Little Barugh Parish Council	
Applicant:	Mr R Gibbeson	
Location:	Charlecote Barn Barugh Lane Great Barugh Malton North Yorkshire YO17 6XB	
Proposal:	Erection of a greenhouse	

41.

Application No:	17/01311/AMEND	Decision: DETERMINED
Parish:	Ampleforth Parish Council	
Applicant:	Mendham & Perez	
Location:	Fairfax House Mill Lane Ampleforth North Yorkshire YO62 4DJ	
Proposal:	Minor non-material amendment to approval 16/00900/HOUSE dated 02.09.2016 for Erection of two storey extension to rear elevation, single storey extension to side elevation and detached two storey garage/workshop to include ancillary accommodation above together with erection of 1.1m-high timber post and rail boundary fence and electric entrance gates following demolition of existing extension and outbuildings - alterations to design and construction materials of the external stair to the side of the garage/workshop	

Appeal Decision

Site visit made on 6 November 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20th November 2017

Appeal Ref: APP/Y2736/W/17/3180383

12 Burgate, Pickering YO18 7AU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Paul Bircumshaw against the decision of Ryedale District Council.
- The application Ref 16/02027/73A, dated 22 December 2016, was refused by notice dated 2 March 2017.
- The application sought planning permission for change of use and extension of garage/store to form residential annex together with erection of garage without complying with a condition attached to planning permission Ref 02/00827/FUL, dated 10 March 2003.
- The condition in dispute is No 7 which states that: The development hereby permitted shall be used only insofar as it forms an annexe/extension to the dwelling currently known as 12 Burgate shall at no time be occupied as a separate or self-contained dwelling unit, and shall not be sold off or let off separately.
- The reason given for the condition is: The site is not considered to be large enough to accommodate an additional dwelling.

Decision

1. The appeal is allowed and planning permission is granted for change of use and extension of garage/store to form residential annex together with erection of garage/store at 12 Burgate, Pickering YO18 7AU in accordance with the application Ref 16/02027/73A dated 22 December 2016, without compliance with condition number 7 previously imposed on planning permission Ref 02/00827/FUL dated 10 March 2003 and subject to the conditions set out in the schedule attached to this Decision.

Procedural Matters

2. Since the determination of the application a plan has been submitted in support of the appeal showing how the amenity space would be subdivided and two options for the creation of an additional garage door. The plans do not fundamentally alter the nature of the proposal and consequently neither the Council nor other parties would be prejudiced by my accepting it. For the reasons set out below, I have determined the appeal on the basis of Option 2.

Background and Main Issues

3. The appeal site comprises a 2-3 storey dwelling which fronts onto Burgate and an associated annex which fronts onto Willowgate. The host property is a Grade II listed building and both properties are situated within Pickering Conservation Area. Planning permission (Council ref 02/00827/FUL) was granted for the annex subject

to a condition (7) that the annex shall not be occupied by a separate or self-contained dwelling unit as the site was not considered to be large enough to accommodate an additional dwelling. The appellant is seeking to remove the condition to enable the annex to be used for short term residential letting.

4. The main issues in this case are:

- The effect of removing the condition on the living conditions of existing and future occupiers with specific reference to amenity space; and
- The effect of removing the condition on highway safety with specific reference to parking.

Reasons

Living conditions

5. The host property and the annex currently share an amenity space which is comprised of two grassed areas separated by a footpath and low stone walls. The landform rises from Burgate to Willowgate and consequently there is a difference in ground level of around 2.4m between the host property and the annex. The difference in levels is accommodated by a series of terraces with stone retaining walls.
6. Policy SP4 of The Rydale Plan-Local Plan Strategy (RP) 2013 requires, amongst other things, that adequate private, individual amenity space will be required to be provided as part of the development of new houses or retained as existing homes are extended.
7. The annex accommodation comprises of a kitchen, living room, bathroom, two bedrooms and a box room and is, therefore, capable of being occupied as a separate residential unit by a couple or small family. The annex currently has access to a patio area immediately to the rear of the property together with a small grassed amenity space. As there is only a small retaining wall the space is not private as there is clear inter-visibility with the garden of the host property.
8. As the two properties are likely to be occupied by separate households the Council requested that a 1.8m high stone wall be built to follow the line of the existing low rise retaining wall that currently delineates the two amenity spaces.
9. The appellant would be content with sharing the amenity space and he sees no reason why future occupiers would not be prepared to do so. He states that the annex will be retained in the ownership of the appellant rather than becoming a separate dwelling and would be used for holiday or short term occupation only. He suggests that a condition could ensure that this remains the case. Although the appellant may be prepared to share the amenity space, I must consider any potential harm arising from the lack of private amenity space for future occupiers of both the host property and the annex.
10. Holiday makers may not expect a private amenity space or indeed any amenity space; however, I agree that people occupying the property for longer periods may have expectations of at least some amenity space. The Council has not questioned the quantity or quality of amenity space and so the determinative issue in this appeal is whether the amenity space should be private.
11. The Council suggested that a 1.8m high stone wall would ensure the provision of a private amenity space to serve both the host property and the annex. However, I share the appellant's concerns that due to the close proximity to the host dwelling

and the difference in levels that the wall would appear overbearing to the occupiers of the host property.

12. Furthermore, the shared garden is attractive but relatively small and is enclosed on all sides by high brick walls or structures set within a dense built-up area. Given the small size of the garden and the existing level of enclosure, I consider that the proposed 1.8m wall would both appear contrived and result in an undue sense of enclosure to the amenity spaces to the detriment of future occupiers of both properties. I have considered whether a lower wall would be appropriate, however, it would not achieve the privacy which the Policy SP4 requires.
13. The amenity areas would not be private and hence some conflict with Policy SP4 would arise. However, whilst there would be inter-visibility between the amenity areas of the properties, they would not be open to public view as they are enclosed by buildings and walls; there would only be inter-visibility with occupiers of the host property. The sharing of amenity space is not uncommon in densely built up areas or in historic areas. Indeed, a degree of inter-visibility between neighbouring gardens often exists in suburban areas. Furthermore, future occupiers of both properties would be aware of the situation when making a decision to purchase or rent.
14. Indeed, the Council has not questioned the quantity or quality of amenity space and I consider that it would provide a pleasant area to sit out and sufficient space for the usual range of domestic activities. Consequently, I consider that on balance the amenity space for both the host property and the annex would be sufficient to meet the needs of existing and future occupiers even on a long-term basis.
15. Moreover, the proposal would enable the use of the annex which may otherwise be vacant. In my view, in the specific circumstances of this case, the benefit of retaining the property in a productive use would outweigh the limited harm which I have identified and the policy conflict.
16. The appellant has suggested that a condition could be imposed to ensure that the cottage is for holiday or short term occupation only and be retained within the ownership of the appellant. The original reason stated for Condition 7 was that '*the site is not considered to be large enough to accommodate an additional dwelling*'. However, the Council does not appear to be taking the same stance in relation to the current proposal to remove the condition. It appears to accept that the annex would be large enough to accommodate a separate dwelling subject to the suggested 1.8m high stone wall and the additional garage door. Indeed the Council has not suggested the imposition of a condition restricting occupancy.
17. Furthermore, I have found that the amenity space would be sufficient to serve the needs of future occupiers even on a long-term basis and, therefore, such a condition would not meet the tests of necessity. Moreover, a condition requiring the property to be occupied for a set number of weeks per year could result in the vacation of the property, potentially at short notice causing upheaval to future occupiers. Taking these factors in combination, I do not consider that it would be appropriate to apply an occupancy condition.
18. Attention is drawn to two cases which have been granted planning permission in Willowgate in which there was either no amenity space or a smaller area of amenity space was provided. The Council clarify that the first case predates the current development plan and in the second case the accommodation was limited to being used by a member of staff employed at a takeaway. Neither of these cases are, therefore, directly comparable to the appeal proposal which limits the weight which

can be attached to them in my Decision. In any event, I have determined the appeal on its own merits.

19. For the reasons stated, the proposal to remove condition 7 would not harm the living conditions of existing and future occupiers. It would not, therefore, conflict with Policy SP20 of the RP which seeks to ensure that new development does not have a material adverse impact on the amenity of present or future occupants. As the amenity space would not be private, there would be a degree of conflict with Policy SP4 of the RP, however, I consider that this policy conflict would be outweighed by the significant benefit of retaining the appeal property in use.

Highway Safety

20. As the proposal would create a separate residential unit garaging would need to be accessed separately, rather than from the existing single garage door. As the proposal is situated within the Conservation Area, the Council consider that any new garage door should be kept to a minimum as the existing stone wall contributes to the character and appearance of the area. Consequently, the Council require that the existing wide garage door to be removed and replaced with a narrower, single door in addition to the new door.
21. The appellant considers that the additional garage door would be unnecessary on the basis that the appeal property is situated in a sustainable location close to the centre of Pickering and, therefore, the development could operate successfully without any dedicated on-site parking. He considers that occupiers could either arrange for a parking space nearby or rely on the parking spaces available along Willowgate.
22. However, I noted on my site visit that Willowgate is very narrow with residential dwellings and outbuildings directly fronting the street. There are parking restrictions along the majority of the road in order to avoid disruption to the free flow of traffic. However, there are no parking restrictions on the opposite side of the appeal property enabling the parking of around 6 cars.
23. At the time of my site visit (1145) 5 out of 6 of those spaces were occupied by cars and this is only likely to increase in the evening and overnight. Any additional vehicles parking on the street would increase competition for scarce spaces and potentially result in indiscriminate parking which could inhibit the free flow of traffic and result in harm to highway safety. Consequently and notwithstanding the benefits which would arise from retaining the masonry, I consider it necessary for a dedicated separate parking space to be provided.
24. The appellant has put forward two options for garage doors, in the event that I find that a separate door is necessary. The first option shows a standard sized garage door alongside the existing wider garage door which is the appellant's preferred option. The second option shows a reduction in the width of the existing garage door in the addition to the insertion of a second door of the same width alongside. This would retain as much stonework as possible but the appellant considers that it would deny access to the garaging for No 12 due to parked vehicles opposite.
25. Willowgate is within the Pickering Conservation Area and has a very distinctive character comprised of a tight knit fabric with buildings fronting almost directly onto the street. The western side of Willowgate has a number of ancillary buildings which are stone and pantile with relatively fewer openings contrasting with the more formal appearance of the main frontages onto Burgate. The first option would result in the majority of the front elevation of the garage being taken up with garage doors which would be at odds with the predominant character of the

outbuildings along the street. This option would, therefore, fail to preserve the character and appearance of the Conservation Area.

26. Option 2 would retain more stonework which would better reflect the character of similar outbuildings along Willowgate. Whilst this option would result in tighter manoeuvring for the occupiers of No 12 access would, nevertheless, be achievable. Furthermore, I note that there are many other properties along Willowgate which have a similar arrangement. Consequently, I consider that Option 2 would both preserve the character and appearance of the Conservation Area and avoid harm to highway safety.
27. For the reasons stated, I conclude that removing condition 7 and option 2 of the proposal would not have a harmful effect on highway safety with the suggested conditions. It would not, therefore, conflict with Policy SP20 of the RP which, amongst other things, requires access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists and to comply with the relevant standards in place at the time the application is made.

Other matters

28. There would be no alterations to the Grade II listed host property or the erection of any structures within the garden area. The annex and associated garage are not listed and the additional garage door would be on the elevation facing Willowgate. Consequently, I am satisfied that the proposal would not harm the setting of the Listed Building and would not, therefore, conflict with the statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 which must be given considerable importance and weight.

Conditions

29. The Council's Highway department have suggested a number of conditions in the interests of highway safety which were also present on the original permission. The guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As I have no information before me about the status of the other conditions imposed on the original planning permission, I shall impose all those that I consider remain relevant, including the suggested highway ones. For the reasons set out above, I have not imposed condition 7. I have imposed a condition requiring the development to be carried out in accordance with the approved plans in order to ensure that the permission relates to option 2. I have not imposed the standard time limit condition as the original development has been completed.

Conclusion

30. For the reasons stated and taking all other considerations into account, the appeal should be allowed, subject to the conditions set out in the schedule attached to this Decision.

Caroline Mulloy

Inspector

Schedule

Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; drawing No 17/B28/P/01 Site Plan and east elevation option 2.
- 2) Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.
- 3) Prior to the commencement of the development hereby permitted, the crossing of the channel shall be reconstructed in accordance with the specification of the Local Highway Authority to the satisfaction of the Local Planning Authority.
- 4) All doors and windows on elevations of the building/building adjacent to the existing and/or proposed highway shall be constructed and installed such that they do not open over the public highway. Any future replacement doors and windows shall also comply with this requirement.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Order, the garage hereby approved shall not be converted into a habitable room(s) without the express written approval of the Local Planning Authority.
- 6) The first floor windows on the eastern elevation of the proposed building shall be non-opening and be permanently glazed with frosted or opaque glass to the reasonable satisfaction of the Local Planning Authority prior to the occupation of the building.



Appeal Decision

Site visit made on 24 October 2017

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 November 2017

Appeal Ref: APP/Y2736/W/17/3179833

Land West of Middlecave Cottage, Maiden Greve, Malton YO17 7BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss V Paley against the decision of Ryedale District Council.
 - The application Ref 16/02025/FUL, dated 22 December 2016, was refused by notice dated 28 February 2017.
 - The development proposed is the construction of a detached two-storey dwelling with integral garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area, including its effect on protected trees.

Reasons

3. Set in a leafy and predominantly residential environment, though immediately across the road from the Malton and Norton District Hospital, the appeal site is a broadly level area of open land bounded by the substantial two-storey Middlecave Cottage to one side, and smaller detached houses of a more suburban character clustered around a cul-de-sac to its other. Hedgerows are present along the boundary to the front of the appeal site and for a large proportion of its side boundaries, which in combination with the trees within and around it impart a verdant character to the appeal site and its surroundings. The three mature trees towards the rear of the site are substantial in size and widely visible in the streetscene. Consequently, they make a significant and positive contribution to the visual amenity and verdant character of their surroundings, as recognised by their inclusion in a Tree Preservation Order (TPO)¹.
4. The appeal scheme seeks to develop the site to provide a large, predominantly two-storey dwelling with integral garaging. A single-storey element would project from the rear elevation of the two-storey part of the dwelling, with a pitched glazed lantern within its flat roof.

¹ Council reference: Tree Preservation Order No 342a (2015) Malton

5. I am aware that construction could be progressed on-site with due regard to the root protection areas of the protected trees. However, the single-storey rear element of the proposed dwelling would be close to the crown spread of the protected trees. Moreover, considerable proportions of the rear garden of the proposed dwelling would be underneath these crown spreads. I saw at my site visit that fallen leaves and branches were present under the crowns and around the area where the proposed single-storey element would be sited.
6. Given the size of the proposed property it would be suitable for family occupation and would be likely to result in the use of the rear garden. Consequently not only the shading caused by the trees to a large part of the rear garden, but also the potential for falling branches on it would limit the attractiveness and utility of this space to a substantial degree. This taken together with the design of the single-storey element, with a flat roof on which falling debris from the protected trees could accumulate, and also obscure light penetration into the roof lantern, leads me to the view that the proposed development would lead to additional pressure for pruning and other works to the trees.
7. Whilst I note that their protected status would give the Council control of any proposed works, applications based on health and safety grounds particularly in terms of the use of the garden would be difficult to resist. As a consequence, I consider that the proposed development would lead to additional pressure for works to the protected trees that would reduce their contribution to the visual amenity and leafy character and appearance of the area. In arriving at this view, I am mindful that I have been supplied with no substantiated evidence to suggest that the trees would be unlikely to survive on site for many years.
8. I note that the orientation of the rear windows of the single-storey element would have a north-westerly emphasis and an oblique relationship to the protected trees. Consequently, I consider that any shading to the rear elevation caused by the protected trees of itself would not lead to undue pressure for pruning. However, this matter does not alter my conclusions on increased pressure for works to the trees arising from their other implications.
9. I saw that there is a strong suburban development pattern to one side of the appeal site, including a regularity of scale and plot ratio. However, I saw that the residential character to the other side and to the rear of the appeal site is much more mixed and features larger properties, including Middlecave Cottage, of a variety of styles and widths of front elevation, in differing sizes of grounds. The hospital deeply set back from the highway across from the appeal site adds further variety to the immediate context. Whilst the appeal site constitutes something of a gap between these residential characters, given the eclecticism in its immediate environs, I consider that the width and scale of the proposed dwelling would not read as incongruous or alien elements of the streetscene and these design aspects would thus avoid material harm to its character and appearance in these regards.
10. Whilst I have found that the proposed development's design would cause no material harm to the character and appearance of the streetscene, I have found its proximity to the protected trees to the rear would be likely to lead to pressure for pruning and other works that would reduce their contribution to the visual amenity of their surroundings. In this respect the proposed development would cause considerable harm to the character and appearance

of the area and would, as a result, conflict with Policy SP20 of the Ryedale Plan-Local Plan Strategy (adopted September 2013) (the Local Plan) and the National Planning Policy Framework. Taken together, and amongst other things, these policies seek to ensure that development respects the character and context of the locality, and functions well and adds to the overall quality of the area. However, as I have found that the design of the proposed dwelling would not lead to material harm to the character and appearance of its surroundings I can find no conflict with Policy SP16 of the Local Plan insofar as it seeks to promote developments that create high quality durable places that are well integrated with their surroundings.

Other Matters

11. Due to the distance from the proposed dwelling to those at the rear I consider that it would not result in overlooking to a degree sufficient to cause material harm to the living conditions of the occupants of those dwellings. Furthermore, nothing in the material submitted to me indicates that the proposed development would cause harm to the residential amenity of the occupants of adjacent properties in any other respects. I note also that the highways implications of the development were acceptable to the Council at application stage. However, these considerations point to an absence of harm in these regards rather than positive benefits of the scheme and consequently are matters that only have a neutral effect on the overall planning balance.

Conclusion

12. The proposed development's potential effects to the protected trees would cause considerable harm to the character and appearance of the area. In the overall planning balance this harm and consequent conflict with the development plan, clearly outweighs the lack of harm that the design of the proposed dwelling would cause to the residential character of its surroundings and its lack of harm in respect of the other matters raised above.
13. Accordingly, as no material considerations have been advanced to justify a departure from the development plan policy in this instance, I conclude, for the reasons set out above, and taking into account all other matters raised, that the appeal should be dismissed.

G J Fort

INSPECTOR