

**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**

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**Item Number:** 7  
**Application No:** 14/01207/MOUT  
**Parish:** Sherburn Parish Council  
**Appn. Type:** Outline Application Major  
**Applicant:** Gladman Developments Limited (Mrs Emma Tutton)  
**Proposal:** Demolition of 1 no. existing cow shed, erection of up to 73 no. residential dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, childrens play area, surface water attenuation, a vehicular access point from Sked Dale road and associated ancillary works (site area 3.16ha)  
**Location:** Land At Manor Farm Sherburn Malton North Yorkshire

**Registration Date:** 10 November 2014      **8/13 Week Expiry Date:** 9 February 2015  
**Case Officer:** Alan Hunter      **Ext:** Ext 276

**CONSULTATIONS:**

<b>Highways Agency (Leeds)</b>	No objection
<b>Sustainable Places Team (Yorkshire Area)</b>	No objection
<b>Land Use Planning</b>	Recommend condition
<b>North Yorkshire Education Authority</b>	Contributions sought
<b>Building Conservation Officer</b>	No objection
<b>Countryside Officer</b>	No objection subject to mitigation and enhancement works
<b>Tree &amp; Landscape Officer</b>	No objections
<b>Environmental Health Officer</b>	Concerns raised re noise levels
<b>Archaeology Section</b>	Advises submission of Written Scheme of Investigation and to carry out trial trenching and a High Resolution geophysical survey.
<b>Housing Services</b>	Comments received regarding house types
<b>Parish Council</b>	Supportive but with some concerns
<b>Highways North Yorkshire</b>	Recommends conditions
<b>Vale Of Pickering Internal Drainage Boards</b>	No objection recommend condition

**Neighbour responses:** Ms P Adamson, Mr & Mrs A Lewis, Mrs A M Holdsworth, Mrs Fiona Cundall,  
**Overall Expiry Date:** 26 January 2015

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**SITE:**

The application site is rectangular in shape measuring 280m in width at its largest by 120m in depth and approximately covers an area measuring 3.16 hectares. The site is used for agriculture, including grazing land and part of an existing farmstead. The site is located outside the development limits of Sherburn.

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**PLANNING COMMITTEE**

10 February 2015

To the south is arable land, with Sked Dale Road running along the western boundary and farm buildings located to the north east of the application site. The A64 (T) runs along the northern boundary with a large industrial site (Kingspan) and a range of outbuildings (currently being converted to holiday accommodation) associated with Corner Farm (Grade 2 listed) on the opposite side of the road. To the east is a stream with Low Mill, a residential property and outbuildings on the eastern side. The site lies on the south eastern side of the crossroads that runs through Sherburn.

There is a levels difference of approximately 5m across the entire site, with the south-western side being the highest part and the north-eastern side being the lowest part of the site. The proposed application site is located within Flood Zone 1, representing the lowest risk of flooding from any source. The site is also located within an area of known archaeological importance.

## **PROPOSAL:**

Outline planning permission is sought for the demolition of 1 no. existing cow shed, erection of 73 no. residential dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, children's play area, surface water attenuation, a vehicular access point from Sked Dale road and associated ancillary works.

At this stage only access is to be considered. The access is proposed to be on the western side of the site from Sked Dale Road. A Framework Plan has been submitted that indicates how 73 dwellings could be accommodated on the site.

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

- Design and Access Statement
- Planning Statement
- Archaeology Statements
- Travel Plan
- Transport Assessment
- Flood Risk Assessment and Surface Water Drainage Strategy
- Noise Assessment
- Statement of Community Involvement
- Ground Condition report
- Ecology and Wildlife report
- Framework Plan
- Landscape and Visual Impact Assessment
- Arboricultural Assessment
- Air Quality Assessment
- Built Heritage Statement
- Utilities
- Affordable Housing Statement
- Sustainability Report
- Socio - Economic Sustainability Statement
- Topographical Survey

This application has been screened by officers and it has been determined that the proposal does not constitute 'Environmental Assessment Impact' development.

## **HISTORY:**

There is no directly relevant planning history relating to this application site.

## **POLICY:**

### National Policy Guidance

National Planning Policy Framework 2012 (NPPF)  
National Planning Policy Guidance 2014, (NPPG)

### Local Planning Strategy; adopted 5 September 2013

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 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 SP18 - Renewable and Low Carbon Energy  
Policy SP19 - Presumption in favour of sustainable development  
Policy SP20 - Generic Development Management Issues  
Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy  
Sherburn Parish Plan

## **APPRAISAL:**

The main considerations in relation to this application are:

- The principle of the proposed development;
- Whether the site could accommodate 73 dwellings on site in an acceptable form with regard to the Framework Plan;
- Whether the proposed dwellings could have a satisfactory level of residential amenity with particular regard to potential noise and disturbance;
- Whether the proposed development could have an adverse effect upon the amenity of adjoining properties;
- Highway safety;
- Impact upon trees
- Affordable Housing;
- Drainage;
- Impact upon the character of the surrounding area;
- Landscaping
- Protected species;
- Potential ground contamination;
- The potential impact of the proposals upon archaeology;
- Impact upon the setting of listed buildings;
- Public Open Space; and
- Developer contributions.

This application is a 'Major' application and in accordance with the Council's Scheme of Officer Delegation has to be determined by the Planning Committee.

### Principle of development

The agricultural building proposed for demolition is a modern building, that currently houses pigs. There is no objection to its demolition.

The adopted Local Planning Strategy is based on a residential strategy which seeks to focus new residential development in sustainable settlements comprising the four market towns and the selected 'service villages'. Sherburn is designated as a 'service village' and a sustainable settlement in the District. The village also has good public transport links, a village school, a Public House, a village shop and Post Office, and a large allocated employment site with approximately 550 employees. Whilst the site is located outside the development limits of Sherburn, the Local Plan Strategy recognises that these will be reviewed as part of the site allocation work. The site would also be within walking distances of the village services and employment opportunities described above.

Para. 49 of NPPF states:

'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

The Council does not currently have a 5 year supply of housing (3.71 years of housing supply as at 16 December 2014). Therefore in accordance with para. 49 of NPPF, the proposal must be considered against para. 14 of NPPF.

Para. 14 states:

*' .... For decision-taking this means:*

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent, or relevant policies are out-of-date, granting planning 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 the Framework indicate development should be restricted.'*

In this case Policy SP2 (Delivery and Distribution of new housing) of the Local Planning Strategy is the principal policy relating to housing supply and under the terms of para. 49 has to be considered 'out of date'. Incidentally, Policy SP2 seeks to provide an additional 300 dwellings over the plan period within service villages such as Sherburn. The Council is currently working on the Housing Land Allocations, which it is not appropriate to pre-judge. However, in view of the site's location and accessibility it is generally considered to be consistent with the thrust within Policy SP2. The area where there is some conflict relates to the Policy SP2 when it states that the 300 dwellings to be located in Service Villages are to be small scale sites, that are within or adjacent to village settlement limits and distributed as far as possible amongst all the villages. As Members will be aware this application proposes approximately 25% of the total provision for service villages in one village. However, considering that SP2 is deemed out of date by para. 14 of NPPF it is considered that the scale of the development proposed is not on its own a reason for refusal on this submission. Moreover, such scale of development has to have a significant and demonstrable harm. It should also be noted also that Policy SP1 (General Location of new development and settlement hierarchy) and Policy SP19 (presumption in favour of sustainable development) are still considered to be relevant along with NPPF and NPPG. The proposal is not considered to be in conflict with Policy SP1 or Policy SP19. The proposal is also not considered to be contrary to Para. 55 of NPPF, which seeks to restrict new residential development in isolated open countryside locations, because the site is not isolated but well related to the built form of the existing village. All other relevant paragraphs of NPPF seek to encourage sustainable residential development in locations such as Sherburn.

In view of the above, together with the sustainable location of the site, the principle of residential development on the site is considered to be acceptable. This is subject to any impacts associated with the proposal that are considered to cause 'significant' and 'demonstrable' harm in accordance with para. 14, which will be addressed below.

#### Whether the site could accommodate 73 dwellings on site with regard to the Framework Plan

A Framework Plan has been submitted which is indicative and explains how the site could be developed for up to 73 dwellings. The Plan is accompanied by a Design and Access Statement which has appraised the proposals against the Building for Life 12 criteria (BfL) as devised by CABI. The indicative Framework Plan features a legible rectangular road system, reflective of the rectangular shape of the application site. There are two cul-de-sacs on the eastern side stemming from the main rectangular loop. The design ethos incorporates a Main Street, Urban Lanes and Green lanes, to define the descending hierarchy of roads. Planting is also proposed along the inner roads to reflect its rural location. The main focal points within the scheme relate to the POS areas, it is also considered that focal buildings could also be introduced, particularly at the entrance the site from Sked Dale Road and to incorporate dwellings that front the proposed pond on the eastern side. This would have the added advantage of creating natural surveillance of this area.

The transport links into and out of the site are considered to be acceptable, with all traffic directed to Sked Dale Road, with the exception of a footpath onto the A64 on the north eastern side to link to an existing bus stop and public footpath. Apart from this footpath link it is not considered to be appropriate to have other access points onto the A64 in the interests of safety.

The Design and Access Statement mentions the majority of two-storey dwellings being 7.5m to 8.5m in height which is considered to be acceptable, however it also mentions 2.5 storey properties with ridge heights up to 10.5m. There is some concern at the scale of these properties, and care needs to be taken to ensure these properties are not higher in scale than the grade 2 listed farmhouses located at the crossroads, which form focal buildings.

The issue of ensuring the proposal takes opportunities where possible to design out crime and anti-social behaviour will be addressed at Reserved Matters Stage.

The net area available for development is 2.34 hectares and this represents a density of 31 dwellings to the hectare. In this location on the edge of the village, this density is considered to be an acceptable and to relate well to the character of the area.

The applicant's supporting information proposes pantiles as a suitable roof material, together with brick and some render. It is considered that the brick should be the dominant material, some rendered buildings may be carefully considered. The roof material should be a clay pantile, and some properties may have slate roofs to represent the local vernacular. Shared surfaces are also proposed.

The Framework Plan along with the Design and Access Statement has broadly set out how the site could be developed for 73 dwellings. Subject to other issues in this report being addressed, together with the issues detailed above, it is considered that the site could be satisfactorily developed for up to 73 dwellings.

Whether the proposed dwellings could have a satisfactory level of residential amenity with particular regard to potential noise and disturbance

On the northern side of the application is the A64 (Trunk Road) and the Kingspan and Severfield Reeve industrial businesses, which operate 24 hours a day. These two sources of noise pose the greatest risk to residential amenity levels on the proposed site. Whilst the Reserved Matters Stage will ultimately assess the level of residential amenity available to each dwelling by virtue of the location of each, and the mitigation available.

It is considered appropriate to assess at this stage, whether the site can accommodate 73 dwellings in an acceptable manner and without having a sub-standard level of residential amenity. A Noise Assessment has been submitted which considers that this is possible with mitigation. Some of this mitigation is a concern to officers, particularly the use of a bund along the northern side and the use of triple glazing and mechanical ventilation. Officers would not wish to see a bund on the northern boundary as it would appear an unnatural and discordant feature in this rural area. It is also considered that the minimum standards for noise should be achieved with windows that can open.

The Environmental Health Officer has some concerns with the Noise Report and justification submitted, and considers that further information is required in respect of the noise assessment undertaken. Furthermore, Officers have requested a plan showing noise contours of the existing noise levels, and proposed noise levels for a scheme for 73 dwellings showing the level of noise attenuation required for each dwelling. This information should indicate how many dwellings could be accommodated on site in principle and what level of noise attenuation is required to achieve this. Members will be updated in this respect.

Manor Farmhouse and its range of buildings are to be retained separately. Given their close relationship to the application site, and the lawful agricultural use of these buildings, it is considered that there is some potential for adverse residential amenity impacts from the associated agricultural uses. The applicant has asked the landowner if they are prepared to enter into a s106 agreement to prevent these buildings being used for housing livestock. Members will be updated at the meeting.

#### Whether the proposed development could have an adverse effect upon the amenity of adjoining properties

The two properties likely to have the greatest impact are Manor Farm (who own the land) and Low Mill on the eastern side. There is also holiday accommodation on northern side of the A64. However, in view of the separation distances from the site to these properties it is considered that 73 dwellings are capable of being developed on site without having a material adverse effect upon their residential amenities. The precise details of the individual dwellings and the impact on these properties will be considered at Reserved Matters Stage.

Furthermore, it is not considered that the general movements to and from or around the site and the associated potential noise and disturbance to neighbouring occupiers would create a material adverse effect to local residents.

#### Highway safety

The proposals seek planning permission for a single vehicular access from the site to the public highway onto Sked Dale Road approximately 72m from the southern boundary of the application site, and 75m from the A64 crossroads with two further pedestrian access points also on the western side and one pedestrian access on the north eastern side.

A Transport Assessment has been undertaken to predict the movements to and from the site and the implications for the existing road network. A Travel Plan has also been submitted with the aim of promoting sustainable transport methods by occupiers of the proposed dwellings. These supporting documents have been assessed by the Highway Authority and the Highways Agency. The proposals include the following:

1. A new junction onto Sked Dale Road to serve the development consisting of a major/minor give way.
2. Encouraging sustainable transport methods.
3. Introduction of a pedestrian/cycle access on High Street at the north east corner of the site and provide a footway link to the existing bus stop to the east.
4. Introduce an additional pedestrian link on Sked Dale Road

5. Introduction of an additional assisted pedestrian crossing facilities at the A64/St Hilda's Street traffic signal junction.

In addition, the 30mph speed limit is required to be re-located further south. This is to be secured via a £5k contribution to the Highway Authority for this purpose and to be delivered via a s106 agreement.

The Highways agency has confirmed that they have no objection to the proposals and would need to be party to the s278 agreement for the pedestrian improvement works within the A64.

The above changes will mean there are controlled pedestrian crossing points on all four roads at the A64 crossroads. The proposed pedestrian link on the north-eastern side is to an existing bus stop and public footpath. No other links are proposed onto the northern side and suitable planting and boundary treatment should be incorporated at Reserved Matters stage. This will ensure all pedestrians/ cyclists are routed to avoid direct access onto the A64.

The local Highway Authority recommends standard conditions, including the provision of a new access, new roadways and to facilitate the improvement to within the highway. Subject to the conditions and obligations recommended the proposal is not considered to be prejudicial to highway safety.

The Centenary and Wolds Way runs along the southern side of Sherburn, and the applicant has offered £20k towards the provision of a 1.8m wide footpath link between the site and the public footpaths, approximately 420m from the south-western side of the application site. This will benefit the residents of the proposed dwellings together with users of the public footpaths. The public footpath may be better with a loose chipping finish in this rural area. Policy SP 15 – Green Infrastructure Networks supports increased pedestrian and cycle routes in such circumstances.

#### Affordable Housing

In accordance with Policy SP3, there is a requirement for 35% on site affordable housing provision, this equates to 25.55 dwellings. The developers have offered 26 units. Based on the requirements of the Council's Housing Department the following affordable housing provision has been agreed with the applicant:

- The 26 on-site affordable units comprising:
  - 23 x 2-bed dwellings of a minimum size of 72m<sup>2</sup>
  - 3 x 4-bed dwellings of a minimum size of 97m<sup>2</sup>
  - The tenure split is 90% for rent and 10% for intermediate.

These requirements will need to be delivered via a s106 legal agreement, if planning permission is granted.

#### Drainage

A Drainage Strategy has been prepared. It demonstrates that the clay soils underneath the site are not appropriate for soakaways. The applicants propose to drain surface water to a balancing pond on the eastern side which is on a lower part of the site. The balancing pond will then discharge into the Beck, also on the eastern side at a controlled rate, which does not exceed the Greenfield run off rate. The balancing pond will attenuate the surface water in such cases.

Reference in the supporting statements makes reference to the balancing pond as a detention basin. This implies that the area will not hold water unless there is significant rainfall. Following negotiations with the applicant, it has been agreed that this area can hold water at all times with the outfall to the Beck being higher, and the corresponding water level in the balancing pond rising according to the rainfall, but always retaining a minimum level. This will also enhance the development and POS in the area.

The Internal Drainage Board has no objection to the proposed surface water drainage method and recommends a condition to restrict the discharge rate to 5 l/s. Conditions also are required to secure the implementation of the proposed surface water scheme.

Foul water is to be drained to the mains, and Yorkshire Water has confirmed that this is acceptable subject to a condition. The Environment Agency has raised no objection to the proposed scheme.

#### Impact upon the character of the surrounding area

The site has an open parkland setting on the eastern approach with sporadic trees in the centre of the site. The site is designated as an Area of High Landscape Value, being the Yorkshire Wolds. This is local landscape designation. There is established hedging along the northern and southern boundaries and some planting the western boundaries. There will inevitably be some impact upon the character and appearance of this immediate area as result of the proposal. However, this has to be considered also against the existing development that surrounds the site, including the Kingspan site on the northern side which includes several very large industrial buildings.

Planting is proposed, and will be necessary on all boundaries especially the eastern boundary to mitigate the impact of the proposed development.

Policy SP 13 states that the Yorkshire Wolds are special scenic landscapes and important for their long distance and skyline views. This particular site is on the edge of the village with development on two sides, and it is at the very northern edge of the local landscape designation. Furthermore there are considered to be no harmful long distances views of the application site given its topography or any potential to have damaging effects upon the skyline view within the area. From the public footpaths to the south the proposed development will be seen as part of the built form of the village, with the existing buildings forming a backdrop to the site. There are considered to be no adverse effects upon the Vale of Pickering landscape designation on the northern side.

It is considered that the impact of the proposed development could be mitigated by additional planting, and that this impact upon the landscape does not constitute significant and demonstrable harm.

#### Protected species

An Ecological Survey has been submitted that has indicated that the majority of the site is of relatively low wildlife value comprising either improved or species poor semi improved grassland. There is some habitat opportunities available including individual trees and hedgerows. East Beck which is located to the east provides good habitat for Otters, water voles, and Whiter-clawed Crayfish although no detailed surveys have been undertaken to establish if these species are using the Beck (permission has been refused by the adjoining landowner). The Countryside Management is of the opinion that the ponds nearby do not provide a good habitat for Great Crested Newts. Furthermore there are no locally or nationally protected sites close to the development site. The Countryside Management Officer has no objection to the proposal subject to:

‘The proposed mitigation and enhancement works included in the final master plan for the development, which should include gaping up the existing hedgerow network, retaining potential bat roost trees, buffering the beck with landscaping to provide tussocky grassland and scrub, including bat and bird boxes in the design of the buildings and creating habitat for butterflies and other invertebrates around the site.’



A condition is therefore recommended accordingly.

#### Potential contamination

A ground conditions Desk Study has confirmed that due to the previous agricultural use of the site its potential for ground contamination is low-moderate. The Council's Environmental Technical Officer has considered the report and recommends a condition requiring a Phase 2 Site Investigation Report to be submitted prior to commencement of the development.

#### Public Open Space

In accordance with Policy SP11 there is a requirement for 0.42ha of Public Open Space to be located on the site; this should comprise 0.14ha for a Local Area for Play (LAP) and Neighbourhood Equipped Area for Play (NEAP), and 0.28 for adult and youth provision. The Framework Plan has shown that these areas can be accommodated on the site, with a play area in the north-western corner, and areas of POS on the western sides leading onto Sked Dale Road. Although the inclusion of a further area of play space as detailed above is also required, which can be addressed at Reserved Matters Stage. A further open area is proposed on the southern side with the balance around the proposed pond/wetland area. These terms will need to be secured by s106 legal agreement. There is therefore no off-site commuted sum required.

#### The potential impact of the proposals upon archaeology

The County archaeologist initially requested a Geophysical Survey, which has been undertaken. Following this, there is a requirement for Trial Trenching. It is understood that this has been undertaken, the results are awaited. An indication from the applicant is that no significant archaeology has been identified. The full report and the views of the County archaeologist are awaited.

#### Impact upon the setting of listed buildings

Corner Farm House and its range of out-buildings to the north-western side, together with Pasture Farmhouse are Grade 2 listed. Manor Farmhouse is not itself listed. The applicant's have submitted a Built Heritage statement and have confirmed that Manor Farm is a non-designated heritage asset. The listed buildings form focal buildings at the central crossroads in the village. The Buildings Conservation Officer has considered the submission and does not object in terms of the impact of the proposal upon the setting of the nearby listed buildings because of the separation distances between them and the application site.

The Design Statement mentions that 2.5/3-storey dwellings could be developed on the application site. There is concern at this aspect of the design ethos, as such properties could compete with the scale and prominence of these listed buildings in their focal location at the crossroads. However, given this is an Outline application, the scale and height of proposed dwellings will be addressed at Reserved Matters stage. Careful consideration will need to be made regarding the location and heights of such properties.

#### Landscaping

The Tree and Landscape Officer has considered the Arboricultural Report and agrees with its conclusions. The report states that some trees within the site need to be removed due to poor health and being de-barked by grazing horses. Of the trees to be retained; 4 grade B trees are located within the peripheral areas; 2 grade C sycamore trees within the middle of the site; and 3 grade C trees within the peripheral hedgerows of the application site. Conditions are proposed regarding supplementary planting in the existing hedges, particularly on the northern boundary. Significant planting is also required on the eastern boundary to mitigate the impact of the proposal. Protection measures will also be required in respect of the trees proposed to be retained.

There are mature trees on the south western boundary, that the Tree and Landscape Officer has considered could limit the residential amenity of dwellings in this area. These trees are outside of the site and within the highway verge. The removal of these trees has been agreed with the Highway Authority. Sensitive replacement planting will be required.

### Developer contributions

The applicant has offered the following contribution:

- £20,000 towards Pedestrian and cycling facilities to improve links between the village and the Centenary and Wolds Way to the south. These improvement linkages are required by Policy SP15 – Green Infrastructure Networks. At this stage it is unclear if the land required for these improvements is located within the public highway or on third party land. The developer has therefore sought to make the contribution to the Parish Council to enable them to undertake the works necessary to achieve these improvements. It is also noted that these improved routes are also required in the Sherburn Parish Plan.
- The 26 on-site affordable units comprising:
  - 23 x 2-bed dwellings of a minimum size of 72m<sup>2</sup>
  - 3 x 4-bed dwellings of a minimum size of 97m<sup>2</sup>
  - The tenure split is 90% for rent and 10% for intermediate.
- The on-site POS comprising 0.42 hectares in total and comprising 0.14 hectares solely for a LAP and a NEAP Play areas. The POS is to be functional and useable POS.
- £139,369.25 toward Education provision, following a request by NYCC Education Department.
- £5k towards the re-location of the 30mph speed limit further south agreed with the Highway Authority.
- A request has been made for a restriction on the use of the agricultural buildings at Manor Farm, Members to be updated at the meeting.

In addition, improvements to St Hilda's Street, Sked Dale Road and the A64 are required by the Transport Assessment. These improvements are to be delivered under a s278 agreement with the Highway Authority and secured by planning condition.

### Other consultation responses

#### (i) Parish Council

Sherburn Parish Council generally welcome the proposed development, however they seek assurance regarding the impact of the proposal upon the existing services and facilities of the village. Whilst the scheme is large, Sherburn Parish Council consider the scale of the proposal to be acceptable. The Parish Council also recognise the need for more 3/4 bed family housing and point out that the recently constructed scheme at Walnut Grove did not have a high demand for intermediate housing, instead more of these homes were rented. They note the proposed pond is supported in the Parish Plan, but they have some safety concerns. The main cause of concern to the Parish Council is the A64, especially surface water flooding at the A64 crossroads in times of heavy rain. They seek assurance that the scheme will not cause extra stress upon the existing drains/services. Furthermore, the Parish Council does not want to encourage pedestrian activity along side the A64, and wish to see careful planting/screening along the A64 boundary. The issue of noise from the A64 was mentioned along with the lack of street lighting. Finally, the Parish Council has requested an up-grade to the Post Office and asked if the gas network could be extended to Sherburn.

The Parish Council's support is noted along with the fact they consider the size of the site to be acceptable. The developer contributions requested and agreed are contained above. Unfortunately it is not possible to require a contribution towards a Post Office upgrade, or to require mains gas to be brought to the village. These are business decision for the respective entities. A condition regarding a management plan for the proposed pond should address safety concerns. The scheme will drain foul water to the mains, Yorkshire Water consider sufficient capacity exists to accept this additional flow. Surface water is to be drained to a pond on the eastern side and then into an existing stream at a controlled rate. There is no suggestion that that the site will cause any further problems to the localised flooding problem that already exists. Street lighting for the scheme will be required by the Highway Authority in order for the road network to be adopted. It is agreed that there should be no pedestrian activity alongside the A64 and planting/screening is important around the perimeter of the site. The issue of noise from surrounding uses is still outstanding. The Housing Department has requested that 90% of the affordable units are available for rent, with 10% for sale. The Local Planning Authority is not required to take contributions towards Doctor's surgeries, these are separately funded services.

#### (ii) Objections

There have been 4 letters of objections received that have raised the following issues:

- the scale of the proposed development;
- The proximity of the scheme to the crossroads;
- Congestion, potential hazards, and road safety;
- Impact of local services and facilities;
- Loss of pig rearing business from the site;
- Landlords being unhappy at loosing tenants to affordable housing in the village;
- Loss of a view
- Property de-valuation;
- That affordable housing attracts people from undesirable areas;
- The site could become an undesirable area;
- Noise and pollution during construction;
- New hedging could be an eyesore;
- Surface water drainage;
- That the existing stream is not well managed;
- That access to the stream is refused by the landowner;
- Alleged boundary inaccuracies;
- Inconsistencies between the proposal and Policy SP2 in terms of the site not being small scale;
- The housing provision for service villages (300 dwellings) being disproportionately used on one site for up to 73 units;
- That the site forms part of the open countryside;
- Inconsistencies with the adopted LPS in terms of housing targets;
- Other sites in Sherburn that have been put forward for development are better able to meet the requirement for small scale sites as required by Policy SP2;
- The approval of the site could preclude other residential schemes in Sherburn until 2027; and
- It creates a corridor effect along the A64.

The above appraisal has considered Policy SP2, and it is noted that this policy is 'out of date' as stated in para. 14 of NPPF as the Council does not have a 5 year supply of housing. Therefore the 'small scale sites' argument cannot be used as a reason to object to the proposed development without any significant and demonstratable harm. If the application is approved, it does not mean that no other housing within the village could be approved before 2027. The Housing Allocations are currently being prepared by the Forward Planning Department, and such an approval on this site would have to be considered alongside this process. However, this would not prevent applications within the village development limit being considered for approval against the adopted LPS.

The number of dwellings proposed (73) in this Service Village is noted and comprises approximately 25% of the total allocation for Service Villages. However, in the absence of a 5-year supply of housing, this cannot be used on its own as a reason for refusal. It is noted that the site forms part of the open countryside on the edge of the village

Loss of view and property de-valuation are not material planning considerations. The applicant's have provided copies of the land registry title to confirm the red line is accurate and does not include land belonging to the neighbours. The applicant's have confirmed that under riparian rights they are able to discharge surface water into the stream to the east. The IDB has confirmed that the stream is largely self-cleaning by velocity, but if there is a problem the IDB can clean the stream.

Affordable housing will be available to local people who satisfy the established occupancy criteria. The usual process involves using concentric circles around the site, so those closest to the site are given the first opportunity. The comment regarding this type of housing attracting people from undesirable areas and creating undesirable places is refuted by officers. The Reserved Matters application will consider in detail the scheme and consultation will take place with the Police Architectural Liaison Officer.

There is no protection for the pig business on site, and the loss of tenants from private housing to affordable housing is not a material planning consideration.

The proximity of the site to the cross roads, the scale of development, and highway safety are considered in the appraisal above. The impact upon local services is also considered above, and where possible mitigation has been requested and agreed, see developer contributions. Noise during construction is inevitable, but this is short-term.

### Summary

In view of the lack of information regarding noise, and archaeology, it is not possible to make a final recommendation on this application as without these issues being addressed Officers cannot state that there is no significant and demonstrable harm. It is anticipated that an Update report should be available on the Late List addressing these aspects.

**RECOMMENDATION:**                      **Made at the Meeting**

### **Background Papers:**

Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties