

Alan.

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**DEVELOPMENT
MANAGEMENT**

Head of Planning and Development Management
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

16th November 2015

Dear Sir,

Planning reference DC/15/01027: Erection of a 4 bedroomed detached dwelling at Musley Bank House, Malton: Mr I. Brisby

Having reviewed the various consultation responses received by the Council to this application, I note that only two letters of objection have been received to date – from The Howardian Hills AONB Manager and (the late) Mr D. Clarkson.

The applicant, Mr I. Brisby, has submitted written responses to both of these objections, dated 15th and 25th October (although I note that, to date, the latter of these has yet to be displayed on the Council's web-site).

In addition to Mr Brisby's own responses, I would add the following comments in response to these two objections:-

Mr Clarkson: Mr Clarkson's letter alleges that the proposed development will cause harm to nature conservation interests, but is not specific as to what such effects might be. Although the proposal will slightly increase the built footprint on the site, it does not result in the loss of any trees, hedgerows, or water bodies and will, in fact, result in more trees being planted on the site to the benefit of nature conservation (and landscape) interests. Consequently I cannot see how the proposed development could possibly harm local wildlife interests to any significant extent.

Mr Clarkson's letter also refers to the Green Belt but this is inappropriate because the site is not situated on Green Belt land.

The application site is situated within an established residential / commercial community and has easy access to local services in Malton. Whilst it is in the "open countryside" in planning policy terms, it is not situated in an unsustainable location as Mr Clarkson's letter suggests.

Notwithstanding the comments in Mr Clarkson's letter regarding rights of access to the site, the applicant has confirmed that there is / would be a legal right of access to the proposed dwelling were it to be allowed.

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AONB Manager (P.B. Jackson): Mr Jackson alleges that there would be “significant adverse impact” on the AONB if the proposed dwelling were to be allowed, but, once again, there is no evidence or supporting information to justify such an assertion. Indeed, the Huttons Ambo Parish Council, representing people who actually live in the immediate area, state that the proposal is “in keeping with the nature of the immediate surroundings, appropriate, and not to the detriment other interests” while a local resident, Mr J. Drummond also supports the scheme, both responses being in direct contradiction to the submission on behalf of the AONB.

Mr Jackson also alleges that since the site is not “isolated” it cannot be considered under NPPF paragraph 55, but this fails to acknowledge the context within which the word “isolated” is used in paragraph 55. Under his interpretation it would be impossible to use paragraph 55 to justify a new dwelling in the open countryside anywhere close to existing properties – which is quite clearly not what is intended.

The applicant fully acknowledges and accepts that the site is not in an “isolated” location – indeed that would defeat the object of retirement planning at the heart of the current scheme – but he is of the opinion that the proposed development: reflects the highest standards in architecture; will significantly enhance its immediate setting, and; will be sensitive to the defining characteristics of the local area, as required under paragraph 55 of the NPPF.

If “local needs” is an issue, as suggested in Mr Jackson’s letter, there can be no more deserving case than the present applicant and his wife who have lived in the area all their lives and contributed massively to the economic, social and environmental quality of life currently enjoyed by all residents of Ryedale.

A planning condition, restricting initial occupancy of the proposed dwelling to the current applicant and his immediate family, would ensure that any “local needs” restriction is satisfied, and would be acceptable in this instance.

Finally, it is noted that neither the Trees and Landscape Officer nor the County Council’s Highways Officer has any objections to the proposed development leaving the balance of responses clearly **in favour** of the scheme.

I trust that these comments will be taken into account when a recommendation is drawn up by Officers for consideration by the Council’s Planning Committee on 2nd December 2015,

Yours sincerely,

David Hickling.