

Item Number: 9
Application No: 15/01522/73AM
Parish: Malton Town Council
Appn. Type: Major Non Compliance Conditions
Applicant: Taylor Wimpey (North Yorkshire) Ltd
Proposal: Variation of Conditions 04 and 08 of approval 11/01182/MREM dated 26.10.2012 by submission of amended and additional plans in relation to landscaping
Location: Land North Of Broughton Road Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 24 March 2016
Overall Expiry Date: 16 March 2016
Case Officer: Rachel Smith **Ext:** 323

CONSULTATIONS:

NY Highways & Transportation
Tree & Landscape Officer
NY Highways & Transportation
Parish Council
Tree & Landscape Officer
Parish Council

Neighbour responses: Mr William Caldwell,

SITE:

This application relates to the Taylor Wimpey housing development at Broughton Road, Malton. Members are advised to refer to application 15/01517/73AM for the relevant history and planning policy in respect of the development.

PROPOSAL:

Application 11/01182/MREM granted permission for:

Erection of 3 no. five bedroom, 110 no. four bedroom, 101 no. three bedroom and 48 no. two bedroom dwellings, associated garages, public open space, electricity sub station, formation of Broughton Road to Pasture Lane link road and landscaping (outline approval 10/00899/MOUT dated 07.11.2011 refers.).

The reserved matters approval was subject to a number of conditions. Permission is sought to vary two of the conditions.

Condition 04 states:

04 Unless an alternative scheme has first been agreed in writing by the Local Planning Authority, the landscaping shall be carried out in complete accordance with drawing nos. 2202/12 rev L, 2202/13 rev L, 2202/14 rev L, 2202/15 rev L, 2202/16 rev L, 2202/17 rev L, 2202/18 rev C and 2202/22.

Reason:- In the interests of the visual amenity, and to satisfy the requirements of Policy ENV7 of the Ryedale Local Plan.

Condition 08 lists the approved plans.

The changes to the plans are in part due to the proposed changes to the approved road layout which is the subject of application 15/01517/73AM. In addition the technical drawings have now been provided which include precise details of the location of the soakaways to serve the site. This has also necessitated a change in the location of some of the new planting previously approved.

APPRAISAL:

The design concept for the approved development comprises an avenue of trees along the new link road, and on the large areas of open space which are located to the south. This will provide an attractive landscaped setting on this sensitive approach to the town. The current application does not change this design approach. The material considerations in relation to this application are therefore:

- impact of changes in the proposed landscaping on the character of the area.
- impact of the changes to the landscaping on the existing amenities of neighbouring occupiers.

Impact of changes on character of the area.

The landscaping details previously permitted (through the approval of the reserved matters application, and subsequently discharged by condition), provided for a significant level of new planting associated with the development as a whole, and in particular alongside the spine road. The majority of the trees alongside the spine road will be planted as heavy standards.

The proposed changes have resulted in an amendment to the location of some of the new tree planting previously approved. This is predominantly where their location conflicts with the position of a proposed highway soakaway. In addition trees were previously approved to visually separate the existing Broughton Road, from the new link road at the southern end of the site. This is no longer possible because the position of the new road at this point has been moved approximately 2m to the south as detailed on application 15/01517/73AM. Two existing trees are also proposed for removal. One is at the western extent of the site, and the other is one of two trees that are within a stone planter at the south eastern end. The loss of one of the trees in the planter was not shown to be removed on the outline plan, nevertheless the Tree and Landscape officer has advised that the changes shown on that plan would have inevitably resulted in its removal. Some areas of the existing hedge which currently form the northern boundary of Broughton Road are also proposed to be removed. This is in part due to the location of soakaways, and also because they would be affected by the cycle approved route. There are also some minor changes proposed to the landscaping within the housing estate.

The Council's Tree and Landscape Officer has been involved in all of the discussions regarding the proposed changes. The discussions have resulted in additional trees in alternative locations which do not conflict with proposed drainage routes and soakaways, and the provision of a replacement native hedge on the northern part of the spine road. Further new hedging will also be provided along the northern boundary of the smaller area of open space between the proposed trees. Additional areas of hedging have also been proposed in areas along Outgang Road where there are existing gaps in the hedging.

In relation to the existing tree shown to be removed at the western extent of the site, a replacement tree is being provided adjacent to the truncated end of Broughton Road.

In relation to the reduction in new trees proposed at the south eastern end of the site, it is noted that 3 heavy standard trees will still be planted on the northern side of the new link road at this point. Furthermore 35 apple and cherry trees will be provided in the 'plantation' area which is sited to the north of the footpath which runs from Outgang Lane and which follows the line of the new spine road.

Accordingly, officers are satisfied that the design concept of a landscaped link road will be maintained through the revisions to the landscaping drawings hereby proposed. Indeed the scheme provides for the planting of 89 new 'standard' trees alongside the new spine road with an additional 35 apple and cherry trees in the plantation. The main species used along the spine road are Norway Maple, Field Maple, Beech and Lime. These trees, and particularly the Beech and Lime will grow into impressive specimens reaching heights of between 30 - 40m, and will become a prominent feature along the site frontage over time.

In addition to the tree planting, a total length of 482 metres of mixed native hedge will be provided along the spine road and around the plantation area. These hedges will provide an effective boundary treatment and also provide an excellent foraging and nesting habitat for the local wildlife.

Impact of landscape changes on existing amenities of neighbouring occupiers.

It is not considered that the proposed changes will have a material impact on the existing amenities of neighbouring occupiers. The changes to the approved landscaping is not in locations which will cause overshadowing or an overbearing impact. The main changes to the appearance of the layout is at the south-eastern end of the development. This is an area where a short stretch of new tree planting will be replaced by a stone wall. Nevertheless, the overall appearance of an attractive approach to the town will be maintained, with three new trees to the north of the new link road in this area, together with 35 trees in the plantation. It is noted that the occupants of Ryedale View and Wayside, who live at the north western end of the site have raised concerns regarding some aspects of the changes to the landscaping plans. This in particular relates to the location of a landscaped bund to the front of their properties, the removal of two existing trees on the site and the loss of hedging. However since their objection was received, revised plans have been received and consulted on. The plans show the removal of the bund, and its replacement with a native hedge. A replacement 'standard' tree will also be planted in this area.

Recommendation: There remains a significant level of new tree and hedge planting associated with the development as a whole. It is considered that the revisions to the previously approved plans will maintain, and in some areas enhance, the landscaped setting of the residential development and new link road. Accordingly, the **recommendation is one of approval subject to conditions and subject to the expiry of re-consultation on the application (the consultation period expires on 16.03.2016).**

RECOMMENDATION: Approve subject to no adverse comments

- 1 Unless otherwise agreed in writing prior to the occupation of any dwellings hereby approved, post construction noise monitoring shall take place at Plot 1 as shown on plan no. Y81:817/03AC. If the noise monitoring identifies noise levels that fail to comply with the submitted noise modelling, details of further mitigation to attenuate noise to all sensitive properties shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, no properties upon Plots 2 - 4 (inclusive) and 40 - 62 (inclusive) shall be occupied until one of them has been subject to post construction noise monitoring that demonstrates compliance with the submitted noise modelling.

Reason:- In the interests of residential amenity, and to satisfy the requirements of the National Planning Policy Framework.

- 2 The play area shown on drawing no. 2202/21 shall be completed in accordance with the submitted details prior to the occupation of 50% of the dwellings hereby approved, unless an extension has first been agreed in writing by the Local Planning Authority.

Reason:- To ensure delivery of the play area, and to satisfy the requirements of the National Planning Policy Framework and Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 3 A phasing plan for the delivery of all the landscaping and earth mounding shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any construction work on site. Thereafter, all landscaping shall be carried out in accordance with the agreed phasing.

Reason:- In the interests of maintaining the character of the area, and to satisfy the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 4 Unless an alternative scheme has first been agreed in writing by the Local Planning Authority, the landscaping shall be carried out in complete accordance with drawing nos. 2202/12 rev W, 2202/13 rev W, 2202/14 rev W, 2202/15 rev W, 2202/16 rev W. 2202/17 rev W, 2202/18 rev G, 2202/22 and 2202/23A.

Reason:- In the interests of the visual amenity, and to satisfy the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy

- 5 Unless any alternative materials are first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in accordance with the materials detailed on drawing no. Y81:817/06G and on the itemised plot schedule.

Reason:- In the interests of maintaining the character of the area, and to satisfy the requirements of Section 7 of the National Planning Policy Framework and Policy SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of such works on site, the method of planting the trees adjacent to Plots 83, 84, 86 and 87 shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- By virtue of the restricted area available for tree planting, and to satisfy the requirements of Policy SP13 of the Ryedale Plan - Local Plan Strategy.

- 7 Notwithstanding the details shown on drawing no. 2202/18C and prior to the commencement of such works on site, precise details of all hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity, and to satisfy the requirements of Policy SP20 of the Ryedale Plan - Local Plan Strategy.

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

Drawing No. Y81:817.03AC - Proposed Site Layout;
Drawing No. Y81:817.04AC - Proposed Site Layout;
Drawing No. Y81:817.05AC - Proposed Site Layout;
Drawing No. Y81:817.06G - Provisional Materials Layout;
Drawing No. Y81:817.7 - Lindisfarne (TSS) - Plans;
Drawing No. Y81:817.8 - Lindisfarne (TSS) - Elevations;
Drawing No. Y81:817.9 - Lindisfarne (TSS) - Elevations ;
Drawing No. Y81:817.10 - Flat over garage - Plans and Elevations;;
Drawing No. Y81:817.11 - Flatford - Plans and Elevations;
Drawing No. Y81:817.12 - Gosford - Plans and Elevations;
Drawing No. Y81:817.13 - Halliford - Plans and Elevations;
Drawing No. Y81:817.14 - Portland - Plans;
Drawing No. Y81:817.15 - Portland - Elevations;

Drawing No. Y81:817.16 - Tildale - Plans;
Drawing No. Y81:817.17 - Tildale - Elevations;
Drawing No. Y81:817.18 - Tildale Special - Plans;
Drawing No. Y81:817.19 - Tildale Special - Elevations;
Drawing No. Y81:817.20 - Rowan - Plans;
Drawing No. Y81:817.21 - Rowan - Elevations;
Drawing No. Y81:817.22 - Rowan - Elevations;
Drawing No. Y81:817.23 - Bradenham - Plans;
Drawing No. Y81:817.24 - Bradenham - Elevations;
Drawing No. Y81:817.27 - Midford - Plans;
Drawing No. Y81:817.28 - Midford - Elevations;
Drawing No. Y81:817.29 - Arlington - Plans;
Drawing No. Y81:817.30 - Arlington - Elevations;
Drawing No. Y81:817.31 - Arlington Special - Plans;
Drawing No. Y81:817.32 - Arlington Special - Elevations;
Drawing No. Y81:817.33 - Downham - Plans;
Drawing No. PB35/06/PL2A
Drawing No. PB35/6/PL1
Drawing No. PB41/5/PL2 Rev A - Easton
Drawing No. Y81:817.34 - Downham - Elevations;
Drawing No. Y81:817.35 - Chillingham - Plans;
Drawing No. Y81:817.36 - Chillingham - Elevations;
Drawing No. Y81:817.37 - Easton - Plans;
Drawing No. Y81:817.38 - Easton - Elevations;
Drawing No. Y81:817.39 - Hadleigh - Plans;
Drawing No. Y81:817.40 - Hadleigh - Elevations;
Drawing No. Y81:817.41 - Hadleigh Special - Plans;
Drawing No. Y81:817.42 - Hadleigh Special - Elevations;
Drawing No. Y81:817.43 - Eynsham - Plans;
Drawing No. Y81:817.44 - Eynsham - Elevations;
Drawing No. Y81:817.45 - Lindisfarne - Plans;
Drawing No. Y81:817.46 - Lindisfarne - Elevations, Brick;
Drawing No. Y81:817.47 - Lindisfarne - Elevations, Render;
Drawing No. Y81:817.48 - Whitchurch - Plans;
Drawing No. Y81:817.49 - Whitchurch - Elevations;
Drawing No. Y81:817.50 - Lavenham - Plans;
Drawing No. Y81:817.51 - Lavenham - Elevations;
Drawing No. Y81:817.52 - Barden - Plans and Elevations;
Drawing No. Y81:817.54 - Aydon - Plans and Elevations;
Drawing No. Y81:817.55 - Garage (sheet 1) - Plans and Elevations;
Drawing No. Y81:817.56 - Garage (sheet 2) - Plans and Elevations;
Drawing No. Y81:817.57 - Garage (sheet 3) - Plans and Elevations;
Drawing No. Y81:817.58 - Enclosures;
Drawing No. Y81:817.60D - Block Plans and Elevations - Sheet 1 of 15;
Drawing No. Y81:817.61D - Block Plans and Elevations - Sheet 2 of 15;
Drawing No. Y81:817.62D - Block Plans and Elevations - Sheet 3 of 15;
Drawing No. Y81:817.63D - Block Plans and Elevations - Sheet 4 of 15;
Drawing No. Y81:817.64D - Block Plans and Elevations - Sheet 5 of 15;
Drawing No. Y81:817.65E - Block Plans and Elevations - Sheet 6 of 15;
Drawing No. Y81:817.66D - Block Plans and Elevations - Sheet 7 of 15;
Drawing No. Y81:817.67D - Block Plans and Elevations - Sheet 8 of 15;
Drawing No. Y81:817.68D - Block Plans and Elevations - Sheet 9 of 15;
Drawing No. Y81:817.69D - Block Plans and Elevations - Sheet 10 of 15;
Drawing No. Y81:817.70D - Block Plans and Elevations - Sheet 11 of 15;
Drawing No. Y81:817.71D - Block Plans and Elevations - Sheet 12 of 15;
Drawing No. Y81:817.72D - Block Plans and Elevations - Sheet 13 of 15;
Drawing No. Y81:817.73C - Block Plans and Elevations - Sheet 14 of 15;

Drawing No. Y81:817.74B - Block Plans and Elevations - Sheet 15 of 15;
Drawing No. Y81:817.90G - Streetscapes AA, BB, CC - Sheet 1 of 4;
Drawing No. Y81:817.91F - Streetscapes DD, EE, FF - Sheet 2 of 4;
Drawing No. Y81:817.92G - Streetscapes GG, HH - Sheet 3 of 4;
Drawing No. Y81:817.93E - Streetscapes JJ - Sheet 4 of 4;
Drawing No. Y81:817.100C - Broughton Road Streetscape - Coloured;
Drawing No. Y81:817.101 - Outgang Lane Sections;
Drawing No. Y81:817.102 - Local Context and Character;
Drawing No. Y81:817.110 - Eaves Detail - Sheet 1 of 4;
Drawing No. Y81:817.111 - Eaves Detail - Sheet 2 of 4;
Drawing No. Y81:817.112 - Eaves Detail - Sheet 3 of 4;
Drawing No. Y81:817.113 - Eaves Detail - Sheet 4 of 4;
Drawing No. Y81:817.114 - Garage Eaves Detail - Sheet 4 of 4;
Drawing No. Y81:817.115 - Bay Window Detail;
Drawing No. 2202/12 rev W - Detailed Landscape Proposals (1 of 6);
Drawing No. 2202/13 rev W - Detailed Landscape Proposals (2 of 6);
Drawing No. 2202/14 rev W - Detailed Landscape Proposals (3 of 6);
Drawing No. 2202/15 rev W - Detailed Landscape Proposals (4 of 6);
Drawing No. 2202/16 rev W - Detailed Landscape Proposals (5 of 6);
Drawing No. 2202/17 rev W - Detailed Landscape Proposals (6 of 6);
Drawing No. 2202/18 rev G - POS Detailed Landscape Proposals;
Drawing No. 2202/21 - Play area;
Drawing No. 2202/22 rev A - Post Construction Details; and
Plot Schedule
Drawing No 2202/23 Rev D Wall elevations
Drawing No 172:ABO Allotment Boundary Overlay
Arboricultural Method Statement
Plan Location of highway wall and trees to be removed

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

Background Papers:

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