



29th April 2016

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Dear Mr Housden

**Residential Development on Land at Meadowfield 40 - Thornton Road, Pickering Application Reference: 15/00423/MOUT**

I write in connection with the above pending application following on from our site visit and as a result of the consultation responses received in light of the above pending scheme.

In light of the discussions that have taken place my client has sought to address the concerns raised during the consultation period through the submission of the attached amended plans. I would therefore appreciate if you would substitute the plans submitted for those attached and arrange for the necessary consultations to be carried out. As a result of the discussions which have taken place it is considered that the following issues are key concerns of the council:

**Location of development outside the village envelope**

The application originally included the parcel of agricultural land to the rear of the 40 Thornton Road which is located outside the development limits. However given the Council's position in respect to their housing supply the plans have been amended to only show a limited number of dwellings lying entirely within the development limits of Pickering. As such the proposal now seeks the redevelopment of an existing site within the defined development limits of the market town of Pickering. The principle of development is in accordance with the recently adopted Local Plan Strategy. Additionally it is noted that the National Planning Policy Framework does not preclude the development of gardens: providing the development would not harm the character of the area, consequently, subject to an appropriate dwelling design which is to be secured at the reserved matters stage, the redevelopment of the smaller site is also in line with National policy.

## Noise Implications

A full noise assessment has been submitted with the application as part of ongoing discussions. In addition to this a further noise response was submitted to Ryedale Council on the 8th December 2015 responding to further points raised by the Councils Environmental Health Officer. The scheme has now been significantly reduced from that which was submitted and even more so from the scheme which was dismissed at appeal. The proposal is significantly different to the appeal proposal and should be determined on its own merits. It is now proposed to build 5 properties in a linear character fronting Thornton Road. There are currently no proposals to develop the land which abuts the nearby industrial estate which was proposed in the appeal proposals. The submitted noise assessment has demonstrated that a larger development comprising 9 dwellings is acceptable without mitigation such as acoustic fencing for example as such it is considered that a smaller development in this location which is in line with existing residential properties would provide for an adequate standard of residential amenity for the proposed dwellings.

If the Council considers that bunds are required as mentioned within recent correspondence then this is matter which could be addressed via suitably worded planning conditions to ensure these elements are incorporated in to the scheme.

Reference has been made regarding the proposal and the appeal which was dismissed on this site however when the appeal was considered the circumstances surrounding the application site and the proposal its self are significantly different.

Firstly the proposal is significantly reduced proposing 5 dwellings as opposed to the 43 proposed in the appeal proposal. Additionally the positioning of MircoSmith Metals - and its extension and relocation from the Kirkbymoorside Site - was a cause for concern within the previous application. When considering the appeal, MircoSmith Metals had a valid unimplemented planning permission, reference 11/00660ETM. This permission extended the time frame of application reference 08/00487MFUL, which granted planning permission for the erection of a two-storey extension to the north elevation, and a part-two-storey/part-single-storey office extension to the east elevation. Also included was a linked two-storey flat-roofed foundry building, refuse and cycle store, alterations to car parking layout with additional spaces, and the formation of additional vehicular access. The planning permission allowed for a significant expansion to the existing businesses in order to allow the relocation of the business from Kirkbymoorside. This planning permission has now expired and MircoSmith Metals no longer reside at the application site as such this element of concern no longer exists.

Thirdly the neighbouring site has now been taken over and a recent application approved under application reference 15/00684/FUL. When considering the proposed development and it's the impact upon amenity the officer report states "the site is within a pre-existing industrial estate with no immediate residential dwelling". The neighbouring property is owned by the applicant and is located at a distance of 40 metres from the application as

such this relationship with residential properties has been recently considered acceptable by the council. The revised plans only marginally show new residential development closer to this existing use than the existing dwelling. As such given the recent acceptance of this new use within close proximity to the existing residential use it is not considered that there are any grounds for resisting a proposal on this ground given that two uses currently exist and have recently been considered acceptable together.

#### **Impact upon the Character of the Area**

Policy SP16 requires new developments “to reinforce local distinctiveness” and the “location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings”.

Thornton Road benefits from a wide variety of house types which mainly provide frontage development served by individual driveways. However that been said there are wide variety of designs; materials, plot sizes and the dwellings in this area comprising both single storey and two storey properties. Additionally in depth development is a feature and modern estates have been constructed served from Thornton Road. The nearby industrial estate which is located to the east of the site also provides in-depth development providing a mixture of two and single storey buildings built in buff brick and steal. As such the character of the area is clearly mixed providing for a mixture of materials uses and designs. There have also been a number of recently approved modern developments located throughout the town.

In accordance with your advice the proposed development has been significantly reduced with the submitted layout plan making provision for 5 detached dwelling houses positioned in a linear form fronting Thornton Road. This form and layout of development is in keeping with that which currently exists along this road. In addition the indicative street scene provides one example as to the design of the dwellings which could be utilised at the reserved matters stage. As such subject to an appropriate design and materials which will be secured at the reserved matters stages it is considered that this smaller development is in keeping with the character of the area and therefore in accordance with the development plan.

#### **Impact upon Residential Amenity**

One of the core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Concern from consultees has raised the impact of the proposal on the residential amenity of neighbouring properties. The nearest residential properties are those located to the north and west of the site. Those to the north are unaffected being positioned across the road from the proposal. The revised layout plan has been designed in such a way to ensure a satisfactory standard of residential amenity is achieved for both the surrounding and

neighbouring properties and demonstrates that a suitable layout for the proposal can be achieved for the proposed development at the reserved matters stage.

Following our site visit as requested please see enclosed an indicative street scene in order to demonstrate the effects upon the nearby properties due to the slight difference in land levels between the neighbouring property and the application site. The enclosed street scene demonstrates that a two storey dwelling on plot one would not over dominate this property or cause any significant adverse effects upon the residential amenity of neighbouring properties. The proposed dwelling is shown at a distance of 13 metres at its nearest point which increases as the dwelling is angled slightly to the east. The Councils Residential Design Guidance requires a distance of 12 metres between a main dining room window and the gable of a new property. In this case a distance of over 13 metres is achieved on the indicative layout. As such it is considered that the submitted information demonstrates that a suitable layout can be achieved at the reserved matters stage which would not adverse effect the residential amenity of the neighbouring properties.

#### **Highways**

Neighbouring comments have raised concerns regarding highway safety. However the submitted transport assessment demonstrated that a much larger development on this site would not impact on highway safety as a result of the proposal. Furthermore the Council previously conceded that a much larger development could be accommodated on this site without detriment to highway safety. As such it is considered that this much smaller development is acceptable in respect to highway safety. I also note the comments of North Yorkshire County Council who raised no objections to a larger scale development as such it is considered that the proposed development is acceptable in respect to highway safety.

In response to the comments received from Yorkshire Water I can confirm my client has no objections to the conditions proposed by Yorkshire Water.

Yours Sincerely,

**Planning Consultant**

**Claire Richards**