

OUTLINE PLANNING APPLICATION
DEMOLITION OF DEPOT BUILDINGS AND
ERECTION OF 6 TERRACED HOUSES WITH
ASSOCIATED ACCESS AND PARKING AREAS

FORMER NORTH YORKSHIRE HIGHWAYS DEPOT
MANOR VALE LANE
KIRKBYMOORSIDE
YO62 6EG

PLANNING STATEMENT

October 2016



Chartered Town Planning Consultants

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Proposed Residential Development
Manor Vale Lane, Kirkbymoorside
Planning Statement, October 2016

1.0 INTRODUCTION

- 1.1 This planning statement is submitted in support of an outline application for the erection of six houses at the site of the former North Yorkshire Highways Depot on Manor Vale Lane, Kirkbymoorside. The application is submitted on behalf of Thomas Crown Associates Limited. The matters to be determined as part of this application are access, layout and massing.
- 1.2 The proposals are submitted in light of an application (ref 15/01156/MOUT) for 16 dwellings and 4 apartments on the site, which was withdrawn in April 2016. It is considered that the proposed scheme resolves the proposed objections to the previous application.
- 1.3 The planning statement sets out the background to the proposal, the relevant policy context, and the response to the various issues raised by the application.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located on Manor Vale Lane, within the northern edge of the development limits of Kirkbymoorside, approximately 300m from the town centre, which offers a range of shops and services. The site is shown edged in red and other land in the ownership of the applicants is edged in blue on the Location Plan (Appendix 2).
- 2.2 The site comprises 0.21 ha of brownfield land on the eastern side of Manor Vale Lane. It lies within a historic quarry between stone cliff faces to the east and west. The width of the valley between the cliff faces is approximately 40m. The application site is part of an area last used as a Highways Depot by the North Yorkshire County Council. As such, the entire site including the area in blue line is covered in hard-standing and features various poorly maintained and temporary buildings which were formerly used as offices, stores and garages. The site has an industrial appearance and is currently fenced off for safety purposes. Photographs of the site can be found in Appendix 3.
- 2.3 To the west of the site on the opposite side of Manor Vale Lane is a Scout Hut and Band Hall, which serves as a rehearsal space for the Kirkbymoorside Town Brass Band. A stone cliff face of approximately 6m lies directly behind these buildings, above which

is the residential development of Manor Gardens off Gillamoor Road, comprising houses and bungalows.

- 2.4 Immediately to the northeast of the site on top of a 3-4m cliff face is Manor Vale Wood, an ancient woodland designated as a Site of Importance for Nature Conservation. Neville Castle, a late medieval hunting lodge and Scheduled Ancient Monument, is situated approximately 110m to the northeast. To the east of the site is residential development in Castlegate, again houses and bungalows. A large open field lies directly to the east of the site at the top of the cliff. To the south of the site are several bungalows and houses along Manor Vale Lane.
- 2.5 The Kirkbymoorside development limit lies immediately to the north of the site and Kirkbymoorside Golf Club is approximately 500m north along Manor Vale Lane.

3.0 PLANNING HISTORY

- 3.1 The wider site within the red and blue edge, containing the current application site, has been subject to several planning applications and appeals over the past 10 years. An application for residential development lodged in 2008 was refused and appealed unsuccessfully. The reasons for refusal were related to layout, ecology, noise from the band hall, and impacts on the character and appearance of the Area of High Landscape Value. Consent was granted for the demolition of the former County Council buildings in 2013 but this has not yet been implemented. In 2014, prior approval was sought for an office to residential conversion but the application was refused and appealed unsuccessfully as the previous use of the site was determined to have been *sui generis*, not B1. A 2015 application for the erection of a replacement depot building was also refused and the ensuing appeal dismissed due to concerns over road safety and the amenity of nearby residents.
- 3.2 Of greatest relevance to this application is a 2015 application for residential development for 16 houses and 3 apartments which was withdrawn (15/01156/MOUT). The committee report indicated that application was recommended for refusal due to issues related to noise from the band hall, surface water flooding, affordable housing provision, layout and design, light and outlook, and the location partially outside the development limits. This proposal has been devised

with the express purpose of resolving each of these issues and putting forward a scheme which is appropriate for the location.

4.0 PUBLIC CONSULTATION

- 4.1 A pre-application consultation with local residents was undertaken via a letter which was posted to 10 properties on Manor Vale Lane and 3 properties in Manor Gardens on 26 September 2016. Consultees were provided with a site layout plan and a covering letter outlining the location and scale of the proposed development. Information about the proposal including a site layout plan was sent by email to Members of Kirkbymoorside Town Council on 23 September 2016 (See Appendix 4).
- 4.2 During the 10-day consultation period one telephone call was received from a resident of Manor Vale Lane who raised concerns over the impact of the proposal on flooding in the area and requested that the sewer pipe be enlarged. The resident was informed of the findings of the Flood Risk Assessment and of the recent jetting of the pipe which had previously been blocked with sediment.
- 4.3 Members of the Kirkbymoorside Town Council notified of the proposal and provided with a site layout plan on 23 September 2016. No response has been received to date.

5.0 PROPOSAL FOR DEVELOPMENT

Layout and Scale

- 5.1 At 0.21 hectares, the development site is significantly smaller than the previous application site and it lies entirely within the development limit of Kirkbymoorside. The site layout is provided at Appendix 2 and shows two terraces of three units each on a north-south orientation along the eastern side of Manor Vale Lane. The three-bedroom houses would be of a modest scale and have been designed to cater for local families. Each of the two-storey houses would have a front and rear garden.

Building Design

- 5.2 The building design of the proposed dwellings reflects the simple traditional design and character of the dwellings located within the historic core of Kirkbymoorside. The houses would have pitched roofs with dormer windows and rooflights and would be constructed of materials from the local palette, such as stone. Details of the appearance and landscaping are a reserved matter and will be addressed in a separate application.

Access

- 5.3 The site is accessed via Manor Vale Lane. The section of Manor Vale Lane extending from Dale End to the southern boundary of the application site is adopted highway.
- 5.4 As part of the proposed scheme, two two-vehicle drives would be located to the north and south of the scheme adjacent to Units 1 and 6. Two four-vehicle car parks with turning heads would be located at the northern and southern edges of the scheme for vehicles associated with Units 2-5. Pedestrian access would be facilitated by a paved footway on the eastern edge of Manor Vale Lane starting and ending at the northern and southern boundaries of the development site. A rumble strip or speed bump to slow vehicular movement would be provided at the southern edge of the application site.

6.0 PLANNING POLICY CONTEXT

- 6.1 Determination of this application is to be made under Section 38(6) of the *Planning and Compulsory Purchase Act 2004*, which requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The Ryedale Plan is the 'Development Plan' for Ryedale. The Plan is to be made up of two main parts: the Local Plan Strategy and the Local Plan Sites document. The Local Plan Strategy was adopted in September 2013. The Council is now preparing the Local Plan Sites Document. Therefore, this application is to be determined in accordance with the Local Plan Strategy, as well as relevant 'saved' policies of the Ryedale Local Plan (2002), including the adopted proposals map for the district.

- 6.3 The National Planning Policy Framework (March 2012) sets out the Government's planning policies for England and is a material consideration in determining planning applications.

Ryedale Local Plan (2002)

- 6.4 The proposals map for the 2002 Local Plan shows the site as unallocated land located on the northern edge of Kirkbymoorside, within the development limits of the town.

Ryedale Local Plan Strategy (2013)

- 6.5 The Local Plan Strategy for Ryedale sets out the spatial vision for the District and outlines the policy objectives for the delivery and distribution of housing development over the next 15 years. Policy SPI identifies Kirkbymoorside, Pickering and Hemsley as Local Service Centres (Market Towns), which are designated as a Secondary Focus for Growth. In these locations, deliverable and developable brownfield land is prioritised for development and development will be guided to areas with lowest flood risk.
- 6.6 Guidance for development in Kirkbymoorside is set out in the 'Aspirations and Strategy' section of the Local Plan Strategy. It indicates that there are opportunities for residential sites as extensions to existing residential areas of the town and north of the A170 for medium density family housing and accommodation for the elderly. The protection and enhancement of Manor Vale as a key asset and area of strategic greenspace for the town is prioritised. Core principles for the development of Kirkbymoorside include:
- avoiding coalescence with Keldholme and Kirby Mills
 - retaining the compact and accessible Market Town feel
 - retaining the town's traditional north/south axis and form in the landscape
- 6.7 Paragraph 4.16 states that the redevelopment of Brownfield land and buildings will be prioritised although there are limited opportunities for brownfield residential development in appropriate locations.

- 6.8 Policy SP2 sets out the approach to the deliverability and distribution of new housing. The policy targets approximately 10% of all new housing development to be provided in Kirkbymoorside with new build housing taking place within development limits and on small to medium sites predominantly to the north of the A170.
- 6.9 Policy SP3 relates to affordable housing. It states that the Council will seek 35% of new dwellings as affordable housing on site (in settlements outside West and South West Ryedale) as part of developments of 5 dwellings or 0.2ha or more. For small sites below this threshold, pro-rated financial contributions will be sought where this is viable. This has been over-ridden by the order of the Court of Appeal dated May 13, 2016, which states that contributions should not be sought from developments of 10 units or less, as confirmed in National Planning Practice Guidance (Planning Obligations, Para 031).
- 6.10 Design is addressed in Policy SPI 6, which encourages the creation of high quality locally distinctive places which are accessible and offer a high level of amenity. New development should respect the context of its surroundings in terms of location, siting, form, layout, scale and detailed design. New development should incorporate appropriate landscaping features, contribute to a safe and well-protected public realm, provide active frontages and achieve a density of at least 30 dwellings/hectare.
- 6.11 Other Local Plan policies which are relevant to this application are SP4 (Type and Mix of New Housing), SPI 1 (Community Facilities and Services), SPI 2 (Heritage), SPI 3 (Landscapes), SPI 4 (Biodiversity), SPI 7 (Managing Air Quality, Land and Water Resources) and SP22 (Planning Obligations, Developer Contributions and the Community Infrastructure Levy).

Local Plan Sites Document

- 6.12 The Local Plan Sites Document Development is currently under preparation. Policy SPI in the Local Plan Strategy indicates that sites in Local Service Centres (Market Towns) will be assessed against several criteria, including:
- deliverability and developability of the site
 - accessibility on foot to local amenities

- compatibility with neighbouring land uses
- potential impact on character of the settlement and its setting
- highway capacity and safety

National Planning Policy Framework

- 6.13 The National Planning Policy Framework (March 2012) is a material consideration in determining planning applications; it sets out the Government's planning policies for England and outlines how they are expected to be applied.
- 6.14 Paragraph 6 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 states that in order to be sustainable, development must perform an economic, social and environmental role. The first element includes contributing to a strong economy and ensuring sufficient land of the right type in the right places to support growth. The second includes supporting strong, vibrant and healthy communities and creating a high quality built environment with access to local services. The third includes protecting and enhancing the natural and historic environment.
- 6.15 Paragraph 14 of the NPPF states that at the heart of the Framework is a presumption in favour of sustainable development and that local planning authorities should positively seek opportunities to meet the development needs of their area and approve without delay development proposals that accord with the development plan.
- 6.16 Paragraph 17 of the Framework advises that that the core land-use planning principles which Councils should adopt to underpin decision-taking include:
- identifying and meeting the housing, business and other development needs of an area, and responding positively to wider opportunities for growth
 - seeking high quality design and a good standard of amenity for existing and future occupants
 - conserving and enhancing the natural environment by allocating land of lesser environmental value for development
 - conserving heritage assets in a manner appropriate to their significance

- actively managing patterns of growth that make the fullest possible use of public transport, walking and cycling and focus significant development in sustainable locations
- encouraging the effective use of land by reusing brownfield land, provided that it is not of high environmental value

6.17 The Framework states that planning should operate to encourage and not act as an impediment to sustainable growth, and stresses that significant weight should be placed on the need to support economic growth through the planning system (Para. 19).

6.18 Paragraph 23 encourages authorities to support the competitiveness of town centre environments through a variety of measures, including recognising the role of residential development in ensuring the vitality of centres and encouraging residential development on appropriate sites.

6.19 Paragraph 32 advises of the need for safe and suitable access to developments to be secured for all people and for opportunities for sustainable transport modes to be taken up.

6.20 Paragraph 49 of the Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered to be up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

6.21 Paragraph 58 of the Framework states that planning 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
- respond to local character and history, and reflect the identity of local surroundings and materials

- create safe and accessible environments
- are visually attractive as a result of good architecture and appropriate landscaping

6.22 NPPF policies on flood risk are set out in Paragraphs 99 to 104. The policies seek to ensure that new development is directed away from areas at high risk of flooding. New development should not increase flood risk elsewhere and mitigation measures should be in place to reduce residual flood risk.

6.23 To encourage the effective use of land, Paragraph 111 encourages the re-use of brownfield land, so long as it is not of high environmental value. The Policy supports the use of local targets for the development of brownfield land.

6.24 Paragraph 187 of the Framework states that Local Planning Authorities should look for solutions rather than problems, and that decision-takers at every level should seek to approve applications for sustainable development where possible.

7.0 APPRAISAL

Principle of Development

7.1 The proposals would provide 6 high quality family homes in a sustainable location within the settlement limits of Kirkbymoorside, which is identified as a Local Service Centre in Policy SPI of the Local Plan Strategy and is therefore a Secondary Focus for Growth. The Policy supports development in deliverable and developable brownfield locations within Local Service Centres and the Plan specifically encourages medium-density residential development to extend existing residential areas of Kirkbymoorside, especially north of the A170 (Aspirations and Strategy, p. 37).

7.2 Previous applications for residential development on land including the current application site were considered by the Council in 2008 and 2016 (08/00019/MOUT and 15/00156/MOUT). Although both applications were ultimately unsuccessful, they related to a larger site, part of which was outside the settlement limits. A Planning Inspector confirmed the suitability of the site for residential development in 2008,

noting that a proposal for 12 homes would 'make efficient use of previously developed land in a sustainable location' (APP/Y2736/A/08/2072443).

- 7.3 As a former Highways Depot, the application site comprises brownfield land. The re-use of brownfield land is supported by the NPPF (Para 111) and the Local Plan prioritises the redevelopment of brownfield sites although acknowledging that opportunities for residential schemes on brownfield land in appropriate locations are limited. It is therefore considered that this scheme is a rare opportunity for small-scale residential development on brownfield land in a sustainable location.
- 7.4 Local Plan Policy SP2 sets a housing target of 200 homes per annum throughout Ryedale, with 10% of new housing to be located in Kirkbymoorside. The Policy supports the use of infill sites in Kirkbymoorside to contribute to the housing supply. In the Committee Report for the previous withdrawn residential application (15/01156/MOUT, April 2016), the Officer states that the part of the site which corresponds with this application is regarded as an 'infill' site in accordance with Policy SP2 and is therefore 'acceptable in principle'.
- 7.5 As the site is located within 5 minutes' walk of the shops and services in the centre of Kirkbymoorside, the proposal would contribute to the vitality of the town centre. This is compatible with the aims of Paragraph 23 of the NPPF, which recognises the relationship between the competitiveness of town centres and the location of residential development. The proximity of the site to the town centre would also enable residents to rely on sustainable modes of transport, in line with Section 4 of the NPPF.
- 7.6 The presumption in favour of sustainable development underpinning the NPPF is supported in Policy SP19 of the Local Plan, which states that the Council will take a positive approach to development which improves the economic, social and environmental conditions in the area. In terms of sustainability, the proposal performs the economic social and environmental roles outlined in the NPPF as follows:
- **Economic** – The development will contribute to economic growth by supporting local businesses and creating jobs in construction.

- **Social** – The provision of new homes will meet the housing needs of present and future generations in Kirkbymoorside, supporting a strong, vibrant and healthy community.
- **Environmental** – The development will not have an adverse impact on the natural and historic environment and will redevelop a derelict brownfield site in close proximity to the town centre.

Previously Proposed Development

- 7.7 In 2016, an application for 16no. 3-bed semi-detached dwellings and 3no. 1-bed apartments on land including the application site (15/01156/MOUT) was recommended for refusal on grounds relating to noise, flooding and drainage, affordable housing, site layout, amenity, and location. The proposal has since been amended significantly to resolve each of these issues, as outlined below.

Development Limits

- 7.8 The previous application for residential development related to a larger site than that of the current application. The former iteration of the site extended beyond the northern edge of the Kirkbymoorside development limits, which was a factor in the Officer's recommendation for refusal. The site boundaries have been amended for the updated scheme and the site now lies entirely within the development limits of Kirkbymoorside. The site is therefore sustainably located within the settlement limits of a Local Service Centre where the principle of development is generally supported by local and national planning policy.

Amenity

Light and Outlook

- 7.9 In the Committee Report, concerns were raised in relation to the proximity of the dwellings to the cliff faces and the resulting impact on the size of the rear gardens and the amount of sunlight which would reach them. It was noted that the trees on the outer cliff sides exacerbated the lack of sunlight and sense of enclosure and the Tree and Landscape Officer advised that the trees should be removed and replaced with appropriate planting. In order to increase the amount of sunlight which falls on

the site, the trees on the outer cliff side will be crown lifted or removed as appropriate.

- 7.10 While the size and topography of the site limit the size of rear gardens, the site layout has been designed to provide as much garden space as possible and to reduce the sense of enclosure. It is considered that the proposed scheme offers a reasonable standard of amenity in terms of light, outlook and garden space. Their own rear gardens which extend 5-6m to the rear of the houses and residents would have access to Manor Vale Wood, an ancient woodland with public footpaths adjacent to the application site.

Noise

- 7.11 The application site is directly opposite the Kirkbymoorside Brass Band Hall and consented Concert Hall. In the Committee Report for the previous application (15/01156/MOUT), concern was expressed over the degree of noise that future occupiers of the dwellings would be subject to and whether this would generate complaints for the Band Hall, which is considered an important community and recreational facility.
- 7.12 The Band Hall is used for brass band rehearsals on Tuesday, Thursday and Sunday evenings between the hours of 7:30 and 9:30pm and on Sunday mornings between 9 and 11am. A noise survey conducted in September 2016 assessed the internal and external noise levels of future dwellings within the proposed scheme at different times of day, including during band practice sessions.
- 7.13 The survey found that internal noise levels of the proposed houses would be below the Lowest Observed Adverse Effect Level at all times including band practice hours and would therefore meet the requirements of the NPPF and the Noise Policy Statement for England. These findings are valid for dwellings with a typical modern wall construction, sealed double glazing and suitable ventilators as proposed. (Appendix 8).
- 7.14 External noise levels on the southern end of the development site adjacent to the Band Hall were found to be below 55 dB at all times including band practice sessions.

The noise levels therefore fulfil the BS8233 criteria and no further mitigation will be required as indicated by the Noise Impact Assessment.

- 7.15 The scheme features a wall and gate between the two terraces which, together with the front elevation of the houses, will act as an acoustic barrier to the rear gardens.

Flooding and Drainage

- 7.16 In the previous application (15/01156/MOUT) issues were highlighted in relation to surface water flooding. The NYCC Flood Risk Officer objected to the scheme, questioning the impact of reducing the impermeable area on surface water runoff. The officer concluded that more information concerning suitable surface water management proposals was required.
- 7.17 Since the previous application, a Flood Risk Assessment (Appendix 6) and a Drainage Calculation (Appendix 7) have been prepared by Dudleys Structural & Civil Consultants. The site is located within Flood Zone 1 for fluvial flooding and the risk of flooding to the proposed development from rivers, surface water, groundwater, sewers and reservoirs is considered to be low. Excess surface water flow is known to have occurred in periods of heavy rainfall along the line of the existing highway with the water flowing south, ponding in a depression in the road south of the development site.
- 7.18 The FRA states that surface water flow would not be adversely affected by the proposed development as there are no plans to alter the highway. The scheme would also reduce the impermeable area of the site through the conversion of some hardstanding areas to gardens, which would increase attenuation capacity, thus reducing the rate of surface water runoff from the site from the current situation. The proposal would therefore not exacerbate the flooding situation or have a negative impact on the resilience of nearby properties, as confirmed by a Planning Inspector in a 2008 appeal for a proposal for 12 dwellings on the same site (APP/Y2736/A/08/2072443).
- 7.19 The dwellings themselves would not be affected by surface water flooding as the finished floor levels would be set 150mm higher than the surrounding land and the ground would fall away from the houses. If ponding south of the site occurred, the

existing steps from Manor Vale Lane to Castlegate at the top of the cliffs to the east of the site could be used as a means of escape from the houses to higher ground.

- 7.20 The Committee Report for application 15/01156/MOUT indicated that there were other sites suitable for residential development in Kirkbymoorside with a lower risk of flooding and that the application was not considered to have passed the sequential test. However, the Flood Risk Assessment demonstrates that a Sequential Test is not required for this proposal as the development would not adversely affect the flooding situation, the dwellings would not be endangered by flooding, and an escape route for residents is in place.
- 7.21 The Drainage Calculation (Appendix 7) states that foul and surface water will be separated and that a new surface water sewer will be laid to connect into the Yorkshire Water Sewer in Manor Vale Lane. The new development will reduce the peak surface water run off by 42% from the present figure and therefore no attenuation storage is required.
- 7.22 A drainage survey conducted in April 2016 (Appendix 7) found that some sections of the sewer on Manor Vale Lane were blocked with silt. The sewers have since been cleaned out by jetting and will be able to drain surface water as originally intended.

Layout and Design

- 7.23 The previous residential scheme was for 16 no. identical 2-bed semi-detached properties spaced in a regular pattern 15/01156/MOUT. In the Committee Report, concerns were expressed over the form and layout of the proposal, which was deemed too suburban and poorly related to the industrial heritage of the site, concluding that the layout and form was not locally distinct.
- 7.24 The design of the current scheme references the local vernacular style and complements the nearby Kirkbymoorside Conservation Area, with its organic form and two and three-storey stone and brick terraced houses. Given the modest scale and small number of dwellings proposed, the scheme can no longer be characterised as 'suburban' and is more in keeping with the surrounding context than the previous proposal.

- 7.25 Whereas the previous scheme incorporated both sides of Manor Vale Lane, this proposal is limited to the area east of the Lane. The cliff faces and caves on the western side of Manor Vale Lane would therefore not be concealed by the proposed dwellings. The eastern cliffs are less prominent and are currently obscured by foliage and industrial buildings. While the dwellings would conceal a small section of the eastern cliffs, most views of the quarry face would be retained. It is considered that the proposed scheme would not have a negative impact on the natural form of the site or its industrial heritage as a former quarry.

Heritage and Archaeology

- 7.26 The site lies just north of the Kirkbymoorside Conservation Area and southeast of Neville Castle, a Scheduled Ancient Monument. An Archaeological Desk-Based Assessment of the site prepared by MAP Archaeological Practice Ltd. states that the scheme would not impact the setting or significance of Neville Castle and would have a negligible impact on non-designated heritage assets within the development area (Appendix 12). This was confirmed in the Officer's Report for the previous application, which stated that the proposed development would not harm the character or appearance of the Conservation Area or the setting of the Schedule Ancient Monument given the difference in levels and separation distance between the proposed scheme and the heritage assets (15/01156/MOUT).
- 7.27 The Assessment deems the potential for damage to archaeological remains to be low as the depot area was levelled in the past and concludes that there are no Cultural Heritage or Archaeological reasons to prevent development. No further archaeological work is recommended.

Trees, Landscape and Visual Impact

- 7.28 A tree survey of an area including the current development site was carried out in 2013 by Treesource Arboricultural Consultancy (Appendix 11). The survey assessed the trees growing on the limestone rocks to the east of the proposed site. The report indicates that most of these trees are Category 'C' trees, with the exception of one Sycamore on the southwest edge of the site which is Category 'B'. The report concludes that most of the trees would not be affected by demolition and

construction on the site and recommends that several of the trees are pruned or considered for removal.

- 7.29 The Trees and Landscape Officer did not raise any objections to the previous proposal but recommended that the trees on the outer sides of the cliff faces should be removed and replaced with more appropriate species. The trees on eastern cliff face will be crown lifted or removed as appropriate by a tree surgeon in October 2016.
- 7.30 Landscaping for the proposed scheme is shown on the Landscape Proposals Plan (Appendix 10). The terraces would feature turfed front and rear gardens, with hedges planted along the western edge of the front gardens to create a clear demarcation of private space. Alternating *Acer campestre* 'Streetwise' and *Sorbus aucuparia* 'Sheerwater Seedling' trees would be planted in the front gardens at suitable distances from the public footpath and highway. Four different types of high quality paving would be used for the public footpath, private footpaths, parking areas, and hard surfaced areas to the rear of the properties.
- 7.31 A Landscape and Visual Impact Assessment has been undertaken by PDP Landscape and Urban Design (Appendix 10). The Assessment indicates that views into the application site from public areas and residential properties would be extremely localised due to the enclosed nature of the landform.
- 7.32 In terms of impact on the character of the surrounding landscape, the Assessment states that the scheme would enhance the quality of the site by creating a townscape character in keeping with the more valued parts of Kirkbymoorside. The former use of the site as a Highways Depot is deemed to have created a 'landscape character of low quality and sensitivity' despite its proximity to an Area of High Landscape Value. This view was expressed in the Officer's Report (15/01156/MOUT), which described the site as a 'tired disused former highway depot containing utilitarian structures and buildings'. The Officer considered the previous scheme to be an 'opportunity to introduce development within the area that is capable of enhancing the current appearance of the site', concluding that the proposal would be unlikely to have an adverse effect on the special scenic qualities of the Area of High Landscape Value.

Contamination and Ground Stability

- 7.33 A Ground Investigation Report has been produced by GeoEnvironmental Engineering Ltd (Appendix 13). The report addresses several issues including ground and groundwater conditions, future foundations and buried structures, ground and groundwater contamination and ground gas.
- 7.34 In the course of the Investigation, organic-type contamination was identified within the made ground materials. As the site was previously used as a highways depot, some evidence of fuel/oil type contamination was detected and there is a potential for undiscovered 'hot spots' of fuel oil type contamination.
- 7.35 No evidence of a water table within 3m of current ground levels was detected although deeper groundwater is likely to be present within solid geological deposits. Any groundwater encountered is likely to be contaminated and would require appropriate disposal during construction.
- 7.36 Elevated levels of generic and organic contamination were recorded in underlying shallow soils and groundwater. In addition, elevated levels of generic and organic contamination as well as fuel/oil type contamination have been recorded in soil samples taken at the site. This contamination poses a potential significant risk to residential end users and specialist removal of these materials is recommended, along with further risk assessment, remediation and protection measures.

Ecology, Protected Species and Manor Vale SINC

- 7.37 An Ecological Assessment and Bat Survey has been completed by MAB Environment and Ecology Ltd (Appendix 9). The Assessment indicates that the Manor Vale SINC woodland, which is approximately 70m from the site, would not be directly affected by the housing. Emergence surveys has recently confirmed that bats are not roosting in the buildings or cliff crevices and the buildings to be demolished are suboptimal for bats.
- 7.38 A badger sett was found in a small cave in the cliff face to the east of the buildings to be demolished. The sett is an annex to the main sett, located 40m north of the development site. The North York Moors Caving Club has recently applied to

exclude the badger from the cave under an education and scientific licence so that they can continue to explore the cave.

Access and Road Safety

- 7.39 Access to the proposed dwellings would be via Manor Vale Lane, which is mainly used by local residents, brass band participants, scouts and golfers from the Kirkbymoorside Golf Club at the end on the lane. In a 2015 appeal decision (APP/Y2736/W/15/3130202), the Inspector observed that 'since the access to the golf course passes through the middle of this area, vehicles already are, and will continue to be, a feature of this location.'
- 7.40 It is not envisioned that the proposed development would lead to a major increase in vehicle traffic along Manor Vale Lane or Dale End due to the low number of dwellings proposed. Based on a maximum figure of 2 vehicles for each of the 6 dwellings, it is predicted that the proposal would generate up to 7.2 additional vehicle movements per hour on Manor Vale Lane during peak times at most.
- 7.41 NYCC Highways did not have any highway-related objections to the previous application, which was for 20 units and would have generated a greater volume of traffic than the current proposal.

8.0 CONCLUSIONS

- 8.1 The proposed scheme is a small-scale residential development that would deliver new family housing in a sustainable brownfield location within Kirkbymoorside. The redevelopment provides the opportunity to tidy up and enhance the appearance of the derelict site and represent a significant improvement to the Area of High Landscape Value.
- 8.2 It is considered that the recommended reasons for refusal of the previous application have been addressed and resolved, and that any further site issues have been addressed. The site now lies entirely within Kirkbymoorside development limits and the housing would contribute to meeting housing targets in the Local Plan without harming the amenity of nearby residents. The proposed development would not

exacerbate flooding issues and the dwellings themselves would not be threatened by flooding. The layout and design of the new housing is modest, uses traditional materials, would respect the character and setting of the adjacent Conservation Area and would comply with policy set out in the emerging Ryedale Local Plan and the National Planning Policy Framework.

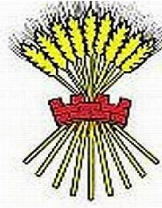
- 8.3 Overall the proposal satisfies local and national planning policy and it is hoped that officers and Members will feel able to support the scheme and grant outline planning permission.

Appendix I

Planning Application Forms

Development Management
Ryedale District Council
Ryedale House
Malton
YO17 7HH
Tel: 01653 600666
Email dm@ryedale.gov.uk

**RYEDALE
DISTRICT
COUNCIL**



For office use only
App no:
Fee:
Date Received:

Application for Outline Planning Permission With Some Matters Reserved.
Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details		
Title:	First Name:	Surname: Thomas Crown Associates
Company name:		
Street address:	7 Victoria Avenue	
	Telephone number:	
	Mobile number:	
Town/City:	Fax number:	
Country:	Email address:	
Postcode:	HG1 1EQ	
Are you an agent acting on behalf of the applicant? <input checked="" type="radio"/> Yes <input type="radio"/> No		

2. Agent Name, Address and Contact Details		
Title:	First Name: O'Neill	Surname: Associates
Company name:	O'Neill Associates	
Street address:	Lancaster House	
	James Nicolson Link	Telephone number: 01904692313
	Gilfton Moor	Mobile number:
Town/City:	York	Fax number:
Country:	United Kingdom	Email address:
Postcode:	YO30 4GR	n.heikal@oneill-associates.co.uk

3. Description of the Proposal		
Please indicate all those reserved matters for which approval is being sought:		
<input checked="" type="checkbox"/> Access	<input type="checkbox"/> Appearance	<input type="checkbox"/> Landscaping <input checked="" type="checkbox"/> Layout <input checked="" type="checkbox"/> Scale
Please describe the proposal:		
Demolition of depot buildings and erection of 6 terraced houses with associated access and parking areas		
Has the building or works already been carried out? <input type="radio"/> Yes <input checked="" type="radio"/> No		

4. Site Address Details

Full postal address of the site (including full postcode where available)

House: Suffix:

House name:

Street address:

Town/City:

Postcode:

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:

Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes No

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

Yes No

Is a new or altered pedestrian access proposed to or from the public highway?

Yes No

Are there any new public roads to be provided within the site?

Yes No

Are there any new public rights of way to be provided within or adjacent to the site?

Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

Yes No

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

Yes No

If Yes, please provide details:

Have arrangements been made for the separate storage and collection of recyclable waste?

Yes No

If Yes, please provide details:

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

Yes No

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Roof - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

pantile

Walls - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

stone

Windows - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

timber framed

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? Yes No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

Design and Access Statement

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	12	12

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer Package treatment plant Unknown
Septic tank Cess pit Other

Are you proposing to connect to the existing drainage system? Yes No Unknown

If Yes, please include the details of the existing system on the application drawings and state references for the plan(s)/drawing(s):

Refer to Proposed Site Plan Rev. E showing drainage connections

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

Yes No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

Yes No

Will the proposal increase the flood risk elsewhere?

Yes No

How will surface water be disposed of?

Sustainable drainage system Main sewer Pond/lake

12. Assessment of Flood Risk

How will surface water be disposed of?

- Soakaway Existing watercourse

13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

- Yes, on the development site Yes, on land adjacent to or near the proposed development No

b) Designated sites, important habitats or other biodiversity features

- Yes, on the development site Yes, on land adjacent to or near the proposed development No

c) Features of geological conservation importance

- Yes, on the development site Yes, on land adjacent to or near the proposed development No

14. Existing Use

Please describe the current use of the site:

vacant

Is the site currently vacant?

- Yes No

If Yes, please describe the last use of the site:

Council highways depot

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated?

- Yes No

Land where contamination is suspected for all or part of the site?

- Yes No

A proposed use that would be particularly vulnerable to the presence of contamination?

- Yes No

15. Trees and Hedges

Are there trees or hedges on the proposed development site?

- Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste?

- Yes No

17. Residential Units

Does your proposal include the gain or loss of residential units?

Yes No

Market Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses	0	0	6	0	0
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Market Housing Total

Market Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Market Housing Total

Social Rented Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Social Housing Total

Social Rented Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Social Housing Total

Intermediate Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Intermediate Housing Total

Intermediate Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Intermediate Housing Total

Key Worker Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Key Worker Housing Total

Key Worker Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Key Worker Housing Total

Overall Residential Unit Totals	
Total proposed residential units	6
Total existing residential units	<input type="text"/>

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

Yes No

Use Class/type of use	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross new internal floorspace proposed (including changes of use) (square metres)	Net additional gross internal floorspace following development (square metres)
Other	638	638	0	-638
Total	638	638	0	-638

For hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms:

Use Class/types of use	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms
------------------------	--	---	----------------------

19. Employment

No Employment details were submitted for this application

20. Hours of Opening

No Hours of Opening details were submitted for this application

21. Site Area

What is the site area?

0.21

hectares

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Is the proposal for a waste management development?

Yes No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

23. Hazardous Substances

Is any hazardous waste involved in the proposal?

Yes No

A. Toxic substances

Amount held on site

Tonne(s)

B. Highly reactive/explosive substances

Amount held on site

Tonne(s)

C. Flammable substances (unless specifically named in parts A and B)

Amount held on site

Tonne(s)

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

25. Certificates (Certificate A)

Certificate of Ownership - Certificate A Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding (*"agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act*).

Title: First name: Surname:

Person role: Declaration date: Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date

Appendix 2

Plans and Drawings

Schedule of Application Drawings
7 October 2016



Chartered Town Planning Consultants

**Outline planning application for demolition of depot buildings and erection of 6
terraced houses with associated access and parking areas
Former North Yorkshire Highways Depot, Manor Vale Lane, Kirkbymoorside**

Description	Scale	Drawing No.	Date
Location Plan	1:2500 @ A4	093/003/11	7 October 2016
Proposed Site Plan Rev. H	1:200 @ A0	093/03/09	5 October 2016
Street Elevations and Sections Rev. D	1:100 @ A1	093/03/14	28 September 2016
Floor Plans and Elevations Rev. B	1:100 @ A1	093/03/12	25 August 2016
Site Plan Showing Drainage Connections Rev. E	1:2500 @ A4	093/03/09	8 August 2016
Topographical Survey	1:200 @ A0	-	March 2013

Appendix 3

Photographs

Appendix 4

Pre-application Consultation Letter to Residents

Appendix 5

Design & Access Statement

Appendix 6

Flood Risk Assessment

Appendix 7

Drainage Calculation and Drainage Survey Report

Appendix 8

Noise Impact Assessment

Appendix 9

Ecological Assessment

Appendix 10

Landscape and Visual Impact Assessment

Appendix II

Tree Survey

Appendix 12

Archaeological Desk Based Assessment

Appendix 13

Phase 2 Ground Investigation Report

Appendix 14

Asbestos Demolition Survey Report

Schedule of Application Drawings
7 October 2016



Chartered Town Planning Consultants

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