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# FREETHS

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For the attention of Gary Housden  
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14 December 2017

Our Ref: 2012842/2/LXY/1683

Dear Gary,

**LAND AT RAINBOW LANE – PLANNING PERMISSION REFERENCE 14/00429/MOUTE  
APPLICATION FOR RESERVED MATTERS**

I refer to the above referenced outline planning permission for residential development dated 24 March 2015 and confirm that we act for Broadacres Services Limited with regard to the submission of the reserved matters identified at Condition No. 2 of that permission.

The outline planning permission relates to the “erection of circa 50 no. affordable residential dwellings (Use Class C3) along with all associated development including drainage, landscaping, formation of earth bund, boundary treatments (including noise mitigation measures) provision of services and access and associated highway works”.

Condition 2 of the permission requires submission of reserved matters within three years of the date of the outline planning permission.

For the avoidance of doubt the reserved matters comprise details of layout, scale, appearance of every building, including a schedule of external materials and landscaping. These details have been the subject of a series of pre application meetings with revisions being made in order to address issues arising.

I attach to this letter a Schedule of Planning Application Documents and Drawings. Broadacres Services limited will be paying the application fee of £19,739 directly to Ryedale District Council.

The reserved matters have also been developed with reference to a number of other conditions attached to the permission and where relevant that is explained below.

**The Reserved Matters:**

The scheme proposes 56 dwellings and, as discussed at pre-app, this has been agreed to be permissible under the outline approval, which allows for circa 50 dwellings. The mix of dwellings is as follows:

- 4 no. 1 bed quarter house
- 16 no. 2 bed bungalows
- 18 no. 2 bed houses
- 18 no. 3 bed houses

The site layout has considered the sensitivities of the site boundaries and relationships with existing dwellings along Dickens Road and the Equine Veterinary Centre on Rainbow Lane. The proposed site layout shows bungalows along the southern edge of the site. In combination with the site levels across the site this means that the development will have very limited impact on the existing dwellings on Dickens Road and immediate views will be of the roofs of the bungalows. The development has been pulled away from the boundary of the site with the Equine Veterinary centre and the proposal will introduce landscaping in this area. As such it is not considered that the proposal will detrimentally affect the amenity of nearby residents.

A simple but modern approach has been taken to the design of the elevations. The proposal is for red brick dwellings, with detailing being provided in a contrasting black brick. The development proposes grey UPVC windows and black UPVC rainwater goods.

It is noted that the access as proposed to the site, is different to that as proposed in Connect drawing 'Highway Access Plan' – 13051-12, as detailed in condition 33 of the Outline Approval. The change relates only to the road once it has entered the site. The reason for the alteration is because of the step gradients across the site, and the need to comply with NYCC gradient restrictions for adopted roads. A section 73 application will be submitted shortly to vary the approved access drawing.

#### **Other Relevant Planning Conditions:**

The outline planning permission provides, by way of the imposition of planning conditions, guidance on the development of the reserved matters details and criteria with which those details must comply as follows.

- Condition No. 3 states that the reserved matters details shall provide for the implementation of a package of Sustainable Drainage solutions. Whilst those details will follow pursuant to the discharge of other planning conditions the Drainage Philosophy report identifies how the reserved matters layout is compatible with that requirement.
- Condition No. 14 refers to the importance of incorporating crime prevention measures in the design and layout of the scheme. The applicant will be submitting a secure by design application and as such these matters have been considered as part of the reserved matters submission.
- Condition Nos. 19 and refer to minimum noise criteria that the proposed residential dwellings must meet and associated mitigation measures. A report has been undertaken by PDA Acoustic Consultants which details the mitigation proposed and the associated noise

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levels. It is recognised that the noise levels which have been achieved in the garden areas of the properties closest to the A64, are circa 3-4dB higher than the condition sets out. However this is within the WHO guidelines. As such they consider the proposal to be acceptable.

**The Way Forward:**

I trust that the above and the attached are helpful in explaining the scope, format and content of the reserved matters submission and I will of course be pleased to answer any queries you may have once you have reviewed the documentation and drawings.

In the mean time I look forward to receiving confirmation that the application has been formally registered.

Yours sincerely

THIS LETTER IS FORWARDED ELECTRONICALLY AND UNSIGNED

Liz Young  
Associate  
Freeths LLP  
Please respond by e-mail where possible

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