

Item Number: 8
Application No: 17/01517/MREM
Parish: Norton Town Council
Appn. Type: Approval of Reserved Matters Major
Applicant: Keepmoat Homes (Ms A Beare)
Proposal: Erection of 20no. four bedroom dwellings, 36no. three bedroom dwellings and 23no. two bedroom dwellings with associated infrastructure and landscaping (outline approval 15/00098/MOUT as allowed on appeal 22.07.2016 refers)
Location: Land Adjacent To Auburn Cottages Langton Road Norton Malton North Yorkshire
Registration Date: 8 January 2018
8/13 Wk Expiry Date: 9 April 2018
Overall Expiry Date: 30 April 2018
Case Officer: Alan Hunter **Ext:** Ext 276

CONSULTATIONS:

NY Highways & Transportation	Recommendations
Flood Risk	Comments
Vale Of Pickering Internal Drainage Boards	No comments - outside the IDB district
Housing Services	Support
Countryside Officer	The drawings for revised landscape proposals 10137_LD_09 and the tree protection plan 10922-ARB-01 are acceptable and in compliance with conditions 1 and 15. The 5 year landscaping management plan within the proposals should include the control of the schedule 9 species Himalayan Balsam within woods 2 and 3 and along the Mill Beck.
Parish Council	Recommend refusal
Sustainable Places Team (Environment-Agency Yorkshire Area)	Recommendations made
Designing Out Crime Officer (DOCO)	Comments made
Archaeology Section	Site Comments further views awaited
Lead Local Flood Authority	Recommend conditions
Yorkshire Water Land Use Planning	No objection
Building Conservation Officer	

Neighbour responses: Andrew and Denise Bellwood, Miss Janella Calvert, Mr Eugene Kelly, Mr and Miss Andrew and Catherine White and Rigg, Mary, John and Jennifer Cowton, Mr John Patten,

SITE:

The site comprises approximately 3.65 hectares of land on the western side of Langton Road. It is situated to the south of Norton. The land is currently in agricultural use and is categorised as Grade 3. This is made up of 1.3 hectares of Grade 3A, 2.1hectares as Grade 3B, and 0.1 hectares as non-agricultural. The area around the site is primarily in agricultural and equestrian use. It has an irregular shape and includes field boundaries, and slopes gently towards Mill Beck to the south west, which is lined with mature trees and hedges. To the North West is agricultural land in separate ownership, with

the access to Sutton Grange House forming the northern boundary. Sutton Grange Barn a grade II listed building lies to the north west of the application site. To the north east of the site, and across Langton Road is an area of residential development. To the east is relatively flat agricultural land. A pair of semi-detached dwellings is situated at the eastern corner of the site, together with a field in separate ownership.

PROPOSAL:

A Reserved Matters application has been submitted for the Layout, Scale, External Appearance, Landscaping and further details of the Access following the grant of Outline planning permission. The earlier Outline planning application was refused by the Local Planning Authority but allowed on appeal by an Inspector appointed by the Secretary of State. The Inspector joined the Outline application relating to this site (Site B) together with a smaller Outline application to the north (Site A) for 6 dwellings. This application solely relates to Site B.

When the Inspector allowed the appeals on both Site A and Site B, two separate S106 Agreements in respect of Affordable Housing were signed in regard to both sites. There has been applications made to modify/discharge these agreements for the Affordable Housing provision to be provided on this site (Site B). Those applications are currently being considered, but it is noted that the Council's Housing Department does not object to the Affordable Housing from both sites being provided on this current application site. As such this scheme proposes 35% on-site Affordable Housing across the total of 85 dwellings on both sites. The applications to modify/discharge the S106 agreements are due to be determined shortly.

The scheme proposes 79 dwellings comprising the following mix:

20 no. four bedroom dwellings
36 no. three bedroom dwellings
33 no. two bedroom dwellings

This includes 27 detached; 46 semi-detached and 6 terraced properties. It is proposed to construct the dwellings of brick under a clay pantile or dark coloured flat concrete tile. It is proposed to have UPVC windows and doors, and dark coloured barge boards/soffits.

The proposed Affordable Housing comprises:

15 no. 2 bed properties and 15 no 3 bed properties. 4no. 3 bed dwellings are to be shared ownership properties, and the remaining 26 Affordable units are to be available for rent.

The scheme closely follows the parameters set by the Inspector in his conditions. The conditioned Development Framework Plan (Condition 15) has been closely followed, with areas of POS to the southern, north eastern and along the western boundaries. A pedestrian cycle path is also proposed from Langton Road along the western boundary and onto Bazey's Lane to the south, in accordance with the aforementioned Framework Plan. The dwellings are positioned outside of these POS areas, with 19 properties fronting onto Langton Road behind the existing hedge and served by private drives. The vehicular access into the site from Langton Road has already been approved at Outline stage. That access has a series of inner roads that lead to 3 cul -de-sacs. Focal house types are positioned to take advantage of their locations at the end of the internal roads and to overlook the areas of POS. Private drives and different road surfacing materials are proposed to help delineate the change of road priority. The materials are a combination of tarmac and tegular paving.

There are 9 house types with the following dimensions:

- The Halstead has a footprint of 4.5m by 8.1m and measures 4.8m to the eaves height and 8m to the ridge height
- The Hogarth has a footprint of 5.6m by 9.5m and measures 4.8m to the eaves height and 8.3m to the ridge height

- The Danebury has a footprint of 4.85m by 8.8m and is 4.8m to the eaves height and 8.1m to the ridge height
- The Warwick has a footprint of 6.5m by 8.2m and measures 4.8m to the eaves height and 7.5m to the ridge height
- The Windsor has a footprint of 6.5m by 8.2m and measures 4.8m to the eaves height and 7.5m to the ridge height
- The Rothway has a footprint of 5.9 m by 8.8m and measures 4.8m to the eaves height and 8.1m to the ridge height (this house type is used as a detached semi-detached house type)
- The Staveley has a footprint of 10.2m by 7.4m and 4.8m to the eaves height and 7.6m to the ridge height
- The Bamburgh has a footprint of 4.85m by 8.1m and measures 5.1m to the eaves height and 9.2m to the ridge height
- The Belmont has a footprint of 7.4 m by 9m and measures 4.8m to the eaves height and 7.5m to the ridge height

PLANNING HISTORY:

2016: Outline planning permission refused for residential development. Refused prior to Appeal below being allowed.

2015: Outline planning permission refused for residential development – allowed on appeal 2016.

2013: Planning permission granted for the erection of an above ground plant enclosure mounted on a concrete plinth within a fenced compound to serve below ground sewage pumping station and formation of vehicular access.

PLANNING POLICY:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The development plan for this site consists of:

- The Ryedale Plan – Local Plan Strategy (2013)
- ‘Saved’ policies of the Ryedale Local Plan (2002) and the 2002 Proposals Map

Wider legislation places specific statutory duties on planning authorities.

Section 66 of the **Planning (Listed Buildings and Conservation Areas) Act 1990**, requires in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 40(1) of the **Natural Environment and Rural Communities Act 2006** (the ‘NERC’ Act), imposes a duty on public authorities in exercising their functions, to have regard to the purpose of conserving biodiversity.

All public bodies are required to comply with the rights and freedoms of the European Convention on Human Rights under the provisions of the Human Rights Act (1998)

Development Plan

The following policies of the Ryedale Plan – Local Plan Strategy are relevant to the assessment of the application:

Ryedale Local Plan Strategy - adopted 5 September 2013 (Ryedale Plan)

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution of New Housing

Policy SP3 - Affordable Housing

Policy SP4 - Type and Mix of New Housing

Policy SP11 - Community Facilities and Services (In respect of public open space

Policy SP13 - Landscapes

Policy SP14 - Biodiversity

Policy SP15 - Green Infrastructure Networks

Policy SP16 - Design

Policy SP17 - Managing Air Quality, Land and Water Resources

Policy SP18 - Renewable and Low Carbon Energy

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

In addition, National Planning Policy is a clear material consideration on all planning applications, and the following documents are relevant considerations:

National Planning Policy Framework (NPPF) 2012

National Planning Practice Guidance (PPG) 2014

APPRAISAL:

The main considerations in relation to this application are:

- Layout;
- External Appearance;
- Landscaping;
- Scale; and,
- Access details not addressed at Outline stage.

This application is a ‘Major’ Reserved Matters application that has to be determined by Planning Committee. Members will be aware that the earlier Outline planning applications on this site (Site B) and the neighbouring site (Site A) were refused planning permission by Planning Committee in 2015 but allowed on Appeal in 2016. A copy of the Inspector’s decision is appended to this report for Members information, along with a copy of the conditioned Development Framework Plan. Following Officer negotiations this application has been amended, and is the subject of public consultation currently (expiring 30/04/18). The main changes from the initial scheme are:

- The scheme has been designed in conformity with the conditioned Development Framework Plan, respecting the areas of POS, landscaping, cycle and pedestrian routes.
- The layout has been revised to respect the existing ground levels, and reduce the number of 3-storey properties fronting Langton Road;
- Design changes and amendments to the materials and detailing proposed to respect the local vernacular.
- A better housing mix to ensure an increase in the number of smaller market dwellings;
- Amendments to the Affordable Housing provision to reflect the views of the Council’s Housing Services Officers.
- Road and access changes within the site at the request of the Highway Authority; and,
- Surface water drainage changes in order to reduce the levels as previously proposed.

Layout and Design

Both Local and National Policy requires good design. Indeed, para 56 of the NPPF states:

'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'

Policy SP16 Design of the Local Plan Strategy states:

'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which:

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated.'*

Policy SP12 Heritage includes the following statement:

'Distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced. The potential of heritage assets to contribute towards the economy, tourism, education and community identity will be exploited.'

The policy also includes the following requirement;

'To assist in protecting the District's historic assets and features, the Council will:

Seek to ensure the sensitive expansion, growth and land use change in and around the Market Towns and villages, safeguarding elements of the historic character and value within built up areas, including Visually Important Undeveloped Areas, as well as surrounding historic landscape character and setting of individual settlements.'

It is noted that Policy SP4 has a requirement for developments of 50 or more dwellings to have 5% of the scheme as single storey properties. The applicants have stated that the smaller site (Site A) will meet this requirement, given the Inspector's condition requiring that the properties on that site are single storey. Following negotiations with the applicants, it is considered that the layout proposed reflects the earlier conditioned Development Framework and provides a satisfactory relationship with the surrounding development. Furthermore, it is considered to respect the views and setting of the heritage assets. These include the Grade II listed Sutton Grange Barn and the non –designated heritage asset, Sutton Grange House. It should be noted that these assets were a key factor in the preparation of the Development Framework Plan. The improved housing mix to accommodate a greater amount of smaller market housing (2 bed units) along with the larger 3-bed and 4-bed properties is considered to be consistent with the objections contained within Policy SP4 of the Local Plan Strategy.

The areas of POS have already been approved by condition at Outline stage. A Locally Equipped Area of Play is proposed to the southern side featuring swings, a climbing frame, slide, smaller apparatus, a bench and litter bin. It is understood the POS areas are to be transferred to a management company to be maintained thereafter. Precise details of the proposed bridge across Mill Beck to allow a pedestrian/cycle lane into Bazey's Lane is required, this can be addressed by condition.

The proposed scheme has been altered to remove some house types that were not considered to be appropriate on this site, and tweak other house types to reflect the character and appearance of the area. The amount of 2.5/3 storey house types has been reduced, and their location towards the inner areas has been achieved. This will ensure that the properties fronting Langton Road will relate better to the single and 2-storey properties opposite the site on Langton Road.

It is considered that the Layout and Scale of the proposed scheme is consistent with the requirements of the Local Plan Strategy.

Members will appreciate the LPA's has considerable objections to the development of this site and its consequential impact upon the landscape character when the earlier outline application was considered. That said, the Inspector on behalf of the Secretary of State granted planning permission in Outline for residential development on this site. Through careful negotiation in relations to levels, design, layout, and materials, Officers have sought to minimise the impact of the proposals upon the surrounding landscape.

External Materials

The developers are proposing to use two different bricks:

Ibstock Wylam Olde Blend; and

Ibstock Grainger Autumn.

Under either a clay pantile roof or a flat grey concrete tile.

These brick types have both been used on the Broughton Road development. They are not considered to be unacceptable, however, Officers have asked the developer to consider a brick similar to a Birtley Old English Brick along with a Terca Cassandra brick. It is considered that these would better relate to the old Norton brick and a dark red multi-brick often seen on the Wolds. It is considered that a combination of these two brick types or similar could work well in this location. There is considered to be no objection to the proposed roof materials. At the time of preparing this report, no further brick samples have been submitted. Members will be updated.

Tarmac, and tegular paving is proposed as ground surfacing materials for the roadways. The proposed cinder track for pedestrians and cyclists is to be constructed from either tarmac or crushed hardcore. There are considered to be no objections to this.

Cream UPVc windows are proposed to which there is no objection in this location. Officers have negotiated black fascias and soffits instead of white. It is considered that the darker colour will help integrate the development into its surroundings on the edge of the settlement.

The proposed boundary treatments comprise; a 1.8m close boarded fence, a 1.5m fence with 0.3 trellis above and a solid brick wall. These details are considered to be acceptable in the locations proposed.

The existing ground levels fall to the western side towards Mill Beck. The applicants' initially proposed to raise the levels of the site on the inner/lower areas quite considerably (up to 2.2m). This increase was considered to be unacceptable. Following negotiations and amendments to the location of the surface water attenuation area, it has now been possible to keep the levels to a minimum. The highest increase of Finished Floor Levels above existing ground level is 0.95m, this is focussed around the middle of the site on the northern side. The majority of the plots are not significantly raised. The siting of the higher (2.5/3 storey) properties in the middle parts of the site has also helped to keep the impact of the levels increase to a minimum. It is considered that the levels now proposed can be considered to be acceptable. There is inevitably some levels changes on a scheme of this size when accommodating adoptable roads, and drainage on a site with falling levels.

Impact of the development on the historic asset

The site lies within the vicinity of Sutton Grange Barn, which is a grade II listed building and Sutton Grange, a recognised non-designated heritage asset. The impact of developing this site upon these heritage assets was given considerable attention both before and at the Public Inquiry. The Inspector conditioned the Development Framework to provide areas of POS in recognition of these heritage assets. The development proposed has followed the design rationale within the original Outline

submission, respecting the indicative layout and ensuring the proposed properties are not greater than 2.5 storeys. The eaves and ridge heights of the proposed dwellings are also kept to a minimum. The design of the scheme has been enhanced through the application process to ensure it better reflects the local vernacular. The negotiations relating to the layout and design have included the Buildings Conservation Officer. In view of the earlier decision by the Inspector on the Outline application, there are considered to be no sustainable planning objections to this Reserved Matters proposal. The Buildings Conservation Officer has been consulted and has stated no objection to the proposed development. It is considered that the proposal is consistent with Policy SP12 of the LPS and that the LPA has fulfilled its statutory duty in regard to the setting of heritage assets in accordance with the Planning (Listed Buildings & Conservation Areas) Act 1990.

Landscape impact

The Council's Specialist Countryside Officer has been consulted and raised no objections. The Officer assessment of the impact of the proposed development upon the wider landscape is contained above.

Ecology and Arboricultural Considerations

These matters were addressed at Outline stage. Regarding this submission, the Council's Countryside Specialist has stated:

'The drawings for revised landscape proposals 10137_LD_09 and the tree protection plan 10922-ARB-01 are acceptable and in compliance with conditions 1 and 15. The 5 year landscaping management plan within the proposals should include the control of the schedule 9 species Himalayan Balsam within woods 2 and 3 and along the Mill Beck.'

This response has been passed to the applicant to address, no response has been received to date. With the exception of this outstanding issue there are no objections raised in regard to ecology and arboricultural considerations.

Designing out Crime

The National Planning Policy Framework (NPPF) states that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. This is taken further in the National Planning Policy Guidance which states "Designing out crime and designing in community safety should be central to the planning and delivery of new development. The Police Designing Out Crime Officer has been consulted on the application on the application and has no objections to the proposed development. Their report is broadly supportive of the scheme with some recommendations and suggestions including the Secure by Design accreditation. An informative is recommended in this regard should the application be approved.

Surface Water Drainage

Foul water is to drain into the mains and surface water is to drain via attenuation into Mill Beck on the western side of the site. The LLFA has been consulted and has stated the following:

'The drainage strategy prepared by by iD Civils Design Ltd (Ref: 4715/DSA1, Aug 2017), explains that surface water will be discharged to water course via Mill Beck at a rate of 12.1 l/s (IH 124) with attenuation capacity at 884m3. Underground attenuation will be utilised for the 1-30 flood event (375m3), with attenuation for the 30-100 being attenuated in a play area (509m3).

The site is located in Flood Zone 1 with a localised surface water flood risk on the site. Offsite there have been serious surface, ground and course water issues as documented in the Flood Risk Documents. It must be clearly established that that there will be not exacerbate the current situation within or around Norton/Malton.

Schematic layout plan with all pipes, manholes and ancillary features clearly numbered or referenced to the hydraulic model. Pipe diameters, levels and SuDS attenuation feature for the lifetime of the development is required.

Details are required for the maintenance of the drainage system and SuDS attenuation feature for the lifetime of the development.

It is requested that the developer provide Appendix E-F, which seem to be missing from the Flood Risk Assessment.

Peak flow rate confirmation is requested with evidence being submitted to the LLFA.

Full Micro Drainage calculations for the proposed site are required to confirm surface water attenuation volume for the proposed site. The proposed SuDS attenuation features should be able to provide the 1 in 100 year design flood event plus with an allowance for climate change and for urban creep. This should be incorporated into the featured drainage design.

A detailed plan of Exceedance flow routes through the site for the extreme flood event should be submitted to the Local Planning Authority for approval. Mitigation measures should be implemented to prevent flooding to all plots for the 1 in 100 year plus climate change design storm event.

Runoff Destinations: The planning application form states that surface water will be discharged to a surface water body (Mill Beck) and attenuation pond.

Soakaways design requires a 5m easement to all buildings, road and structures for all sides of the soakaway as to not present a risk from seepage failure.

Flood Risk: The site is located within Flood Zone 1 (lower than 1 in 1000 annual probability of river or sea flooding). The land that borders Mill Beck, west of the development are areas that fall within high surface water flood risk (1 in 30 year annual probability).

Although North Yorkshire County Council in its capacity as Lead Local Flood Authority does not hold any records of surface water flooding at the site, it should be noted that this does not mean flooding has not occurred. It should be demonstrated within detailed design that the development does not increase flood risk both on and off site, and aims to improve flood risk wherever possible.

Peak Flow Control: The peak runoff rate from the developed site for the 1 in 1, 1 in 30 and 1 in 100 year rainfall events to include for urban creep where required and climate change must not exceed the peak greenfield runoff rate from the site for the same event.

The applicant is using Greenfield runoff rates and estimated QBAR greenfield rate as 12 l/s, using OH125 methodology (See Drainage strategy Report). There are no supporting documents to support the developers proposed 12 l/s. Using the HR Wallingford calculator, QBAR was estimated at 0.71 l/s with an estimated 1:100 event for this site set at 1.48 l/s. further investigation and evidence that the peak flow rate is correct is requested.

If surface water is to be managed by means of infiltration on site, peak flow control is not a consideration, however if infiltration is infeasible, peak flow control is to be limited to a maximum of 1.4 l/s/ha or to the proven greenfield runoff rate for the site.

Volume Control: Micro Drainage calculations are requested to confirm the required Surface Water attenuation volume. The proposed SuDS attenuation features should be able to provide the 1 in 100 year design flood event plus with an allowance for climate change and for urban creep. This should be incorporated into the detail drainage design.

Pollution Control: Pollution from surface water runoff from the development from parking areas and hardstanding areas should be mitigated against by the use of oil interceptors, road side gullies, reedbeds or alternative treatment systems.

Designing for Exceedance: As noted above, an exceedance plan is required to show overland flow during an extreme flood event, exceeding the capacity of the proposed drainage system. Mitigation measures should be proposed to minimise the risk of flooding to these properties.

Highway Drainage: To be agreed with the Highway Authority.

Climate Change and Urban Creep: A 30% allowance for climate change and a 10% Urban Creep allowance have been included.

Maintenance: Arrangements for the maintenance of the proposed SuDS surface water runoff attenuation features should be submitted to the Local Planning Authority for approval, this may be subject to a Section 38 agreement with the NYCC Highways department and additionally a Section 104 agreement with Yorkshire Water.

Note that further restrictions on surface water disposal may be imposed by local authorities and the Local Planning Authority.'

It is also noted that the IDB has no objection to the proposed development.

Precise details of foul and surface water drainage has been conditioned on the Outline Approval by Condition 9. The Reserved Matters Application is to deal with the outstanding matters not already addressed at Outline stage. Whilst it is good practice to discharge as many of the Outline conditions as possible on the Reserved Matters application, if this is not possible a separate application for the discharge of conditions can be made. The LLFA has been re-consulted regarding the surface water drainage amendments, and their further views are awaited. It seems the broad approach to drainage is considered to be acceptable. Although it may not be possible to confirm the discharge of condition 09 through this application.

Yorkshire Water has recommended planning conditions. They have been contacted to explain that this is a Reserved Matters application only and it is not possible to impose conditions in respect of drainage matters at this stage, no further views have been received.

Affordable Housing Requirements

The Affordable Housing requirement of 35% on-site provision, as required by Policy SP3 of the Local Plan Strategy, is proposed to be met by providing all of the Affordable Housing on this site. The Council's Housing Officers do not object to this approach. The LPA is currently processing applications to modify/discharge the existing planning Obligations in this respect.

There has been considerable dialogue and negotiation regarding the Affordable Housing provision on this site to ensure it reflects the need and meets the size requirements for an RP to take the provision from the developer. The Council's Housing Officer has stated the following:

'The proposed scheme is for 79 units with an affordable element of 30 units delivered on the one site (with the proposed affordable units jointly delivered on this site from both site A and site B which would have totalled 85 units). This fully meets the Council's affordable policy of 35%.

In terms of size and mix, the Council has consulted/corresponded on various occasions with both Gladman and Keepmoat to advise on minimum acceptable sizes and mix of the affordable units.

We confirm our acceptance to all of the affordable units being provided on Site B.

We confirm our acceptance to the mix as proposed, which sizes have been agreed between Keepmoat and Yorkshire Housing as follows:

1. 15 x 2B4P Houses (60.48sqm) for Affordable rent;

2. 11 x 3B5P Houses (Hogarth house type – 87.21sqm) for Intermediate Rent;
3. 4 x 3B5P Houses (Hogarth house type – 87.21sqm) for Shared Ownership.

Housing Services would expect the Shared Ownership houses to have the same standard specification as the other market homes.

Housing Services expect the 4 Shared Ownership units be converted to affordable rent should they not proceed as Shared Ownership.

This scheme is an opportunity to deliver much needed affordable housing in a popular community. We support the proposals for affordable housing in this location, and for Keepmoat Homes to work with Yorkshire Housing on the delivery of these homes. ‘

As a result there is considered to be no objection to this proposed provision and the Planning Obligations can be modified in due course to reflect this.

Access and Highway Safety

The proposed new vehicular access from Langton Road has already been approved. The scheme reflects the approved access. A further pedestrian/emergency access onto Langton Road is proposed to the northern side. Regarding the revised plans, the Local Highway Authority has made the following comments:

- ‘1. The proposed landscaping has not taken into account the requirements to allow the road to become publicly maintainable highway. Trees must be set back a minimum of 1.5m of any footway and 2.5m of any road. The design of the street lighting will also need to be taken into account when positioning any new trees.*
- 2. Private driveways are only acceptable to serve upto a maximum of 5 dwellings, the first driveway off to the right on the main spine road serves 7 dwellings and also exceeds the maximum permitted length.*
- 3. The required visibility at the proposed junction adjacent to plot 65 would be obscured by the plot. It would be reasonable to expect at this location speeds are unlikely to exceed 20mph and therefore a splay of 2.4m by 25m should be provided.’*

Based on this response, it appears that further tweaks are required to the layout to ensure safe access for each plot. The views of the Highway Authority have been forwarded to the applicant, no response has been received to date.

There has been one response received to this application that has mentioned the prospect of making greater provision for cyclists, such as providing an area for cycles to be securely parked, and dual use cycle paths both within the scheme and along Langton Road. This response was sent to the Highway Authority, who stated:

‘With regard to the new internal state roads we would consider it appropriate for cyclists to be on the carriageway, given the low speeds and low traffic volumes, so no requirement for off road cycle facilities.

Again for Langton Road along the site frontage the speed limit is 30 or 40 and relatively light traffic flows. Given it is already designated a national cycle route it must have been deemed appropriate for cyclists to be on the carriageway at this location. The development is relatively small scale and may only generate a couple of additional cycle movements in the peak hour. On this basis there can be no justification for the developer to fund a specific cycle facility along Langton Road.

As for a cycle park, I’m not sure what there is to attract cyclists to visit and take a break in a new small residential estate, there are no services, it does not seem the appropriate place to provide such a facility....’

The scheme is already proposing a cycle path through the site. It is considered unreasonable to require further contributions in terms of cycling provision beyond the site, especially on this Reserved Matters application.

The scheme also includes a pedestrian/cyclist access point onto Bazey's Lane. Members will note that the conditioned Development Framework Plan requires this arrangement. The Highway Authority were specifically asked about the safety of this arrangement. They responded to state:

'..For the Bazey's Lane link, does the applicant need to submit details of this access point to satisfy condition 1? I've not seen anything but the hedge should be removed and set back to provide as much visibility as possible. Ideally you would want a layout that deters cyclists from just coming straight out onto the lane, can be done be with geometry or providing staggered barriers.'

This response has been forwarded to the applicant, no response or further details have been received to date. In the circumstances it is considered that a condition should be imposed if the application is approved requiring precise details of this access arrangement along with bollards/design approach to provide a staggered approach for safety reasons.

In view of the above responses from the Highway Authority it is not considered to be possible to conclude on the highway safety aspects of the scheme at this time.

Neighbour Amenity

Policy SP20 of the Local Plan Strategy states:

'New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.'

In this case the scheme is considered to have a satisfactory separation from all existing properties to avoid an adverse effect upon the amenity of neighbouring occupiers. In addition, it is considered that the proposed development will have a satisfactory level of residential amenity for each of the proposed dwellings with no unacceptable levels of potential overlooking or massing on the boundaries.

Other issues

An archaeological evaluation has been submitted with the aim of discharging Condition 12 of the Outline permission. The County Archaeologist has requested some additional information in this respect. No further views have been received from the applicant. Consistent with the approach to surface water drainage, a further application will need to be made to formally discharge this condition as the current response from NYCC is not sufficient to discharge Condition 12.

The Town Council has objected to the application for the following reasons:

1. The scheme has a lack of character;
2. Flooding issues;
3. Proposed Footpath and bridge across Mill Beck;
4. Future development to the west; and,
5. Congestion in the Langton Road area.

There has been 6 letters of objections raising the following issues:

- Traffic, road congestion and the impact from School Traffic;
- Designs not in-keeping;

- Road safety;
- Light pollution;
- Wildlife;
- Water displacement and flood risk;
- Boundaries;
- Impact upon local services such as the Doctor's surgery, and schools;
- Location of the development;
- Need for the development;
- Consistency with the earlier Masterplan;
- Distribution of Affordable Housing on the site;
- Privacy especially with 3 –storey properties;
- Location of the pumping station;
- Concerns regarding the SCI;
- Noise pollution during construction;
- Concerns regarding the accuracy of the plans
- Affordable Housing need and impact upon property prices;
- The applicant could make the 'hamlet' of properties on Bazey's lane part of the Norton/Malton conurbation; and,
- The footpath onto Bazey's Lane is dangerous.

Many of the issues raised in objection have already been considered when the Outline planning permission was approved. These issues cannot be re-visited on this Reserved Matters application. The access onto Bazey's lane has been addressed above, and a condition is likely to be required to provide bollards or a staggered entry onto the highway. The Affordable Housing provision is a policy requirement that the Council's Housing Department does not have objection to. Affordable Housing is usually grouped together for ease of maintenance by RP's. An informative could be required to ensure the construction adheres to the Considerate Construction Scheme to limit impact upon surrounding occupiers. The plans have been amended and respect the Development Framework Plan. The resident's comments about the SCI are noted. The pumping station on the POS is considered to be acceptable in this location, with subtle landscaping. The POS provision exceeds that required by Policy SP11, especially in view of CIL that is chargeable on this scheme to be available to the local community for off-site improvements. There are considered to be no unacceptable privacy impacts. A condition would need to be imposed regarding details of the bridge across Mill Beck to ensure that flood risk and the flow of water along Mill Beck is not affected. Street lighting will be provided on the scheme, as with any residential scheme of this size, some degree of light spillage to the surrounding areas is inevitable but lighting of the public areas is necessary for safety reasons. A condition regarding lighting of the POS could be imposed. The issue of congestion and highway safety outside of the application site has already been addressed at Outline stage. There are no plans for residential development beyond this site on its western side. Finally, the design and appearance of the scheme has been significantly enhanced and is now the subject of re-consultation.

An informative is required on any approval to advise the applicants that a separate application to discharge planning conditions will be required for those outstanding conditions on the Inspector's earlier Appeal decision.

SUMMARY:

In view of the outstanding information regarding Highway details it is not considered possible to make a positive recommendation as Officers are not in possession of all the information. If Members are broadly happy with the scheme, it is recommended that a decision of Approval be delegated to the Head of Planning to resolve to outstanding issues subject to the expiry of the consultation period (30/4/2018).

RECOMMENDATION: Approval with a delegation to the Head of Planning regarding any outstanding issues

CONDITIONS UNDER PREPARATION