

**Item Number:** 10  
**Application No:** 18/00243/MREM  
**Parish:** Malton Town Council  
**Appn. Type:** Approval of Reserved Matters Major  
**Applicant:** CDP Ltd & Fitzwilliam Trust Corporation (Miranda Bell)  
**Proposal:** Erection of Unit A - Industrial unit subdivided into 4no.units and Unit B - Industrial unit subdivided into 2no. units: Phase 1 of reserved matters (outline approval 14/00426/MOUTE dated 24.03.2015 refers as amended)  
**Location:** Land At Edenhouse Road Old Malton Malton North Yorkshire  
**Registration Date:** 19 March 2018  
**8/13 Wk Expiry Date:** 18 June 2018  
**Overall Expiry Date:** 10 May 2018  
**Case Officer:** Gary Housden **Ext:** 307

**CONSULTATIONS:**

|                                                   |                              |
|---------------------------------------------------|------------------------------|
| <b>Flood Risk</b>                                 | Defer to opinion of Vale IDB |
| <b>Countryside Officer</b>                        | Recommendation               |
| <b>Vale Of Pickering Internal Drainage Boards</b> | Recommend condition          |
| <b>Public Rights Of Way</b>                       | Recommend informative        |
| <b>Yorkshire Water Land Use Planning</b>          | Recommends Conditions        |
| <b>Designing Out Crime Officer (DOCO)</b>         | Recommendations              |
| <b>Parish Council</b>                             | Recommend approval           |
| <b>Highways North Yorkshire</b>                   | Require amended details      |

**Neighbour responses:** None Received

**SITE:**

The application site is located in open countryside on the eastern side of Eden House Rd Old Malton close to the new roundabout on the A169. The site is located immediately to the south of the new link road which connects Eden House Rd to the A169. The site's southern boundary abuts the minor road from the A169 which leads to the Eden Camp museum and Russell's farm equipment sales and repairs business. The site is presently open and undeveloped following the construction of the adjacent road and surface water balancing ponds.

**PROPOSAL:**

The reserved matters application is for the erection of six industrial units shown to be accommodated in two blocks shown as Units A and B. Unit A is subdivided into 4 No. units each of 470 sq metres (approximately 5,000 sq ft each) and Unit B is subdivided into 2 No. units each being 935 sq metres (approximately 10,000 sq ft each). The site area is approximately 1.39 hectares (3.4 acres) of the site that benefits from outline planning permission reference 14/00426/MOUTE as amended. Units A are 6.8 metres to eaves with 9.1 metres apex and Units B are 7.8 metres to eaves and 10.1 metres to apex.

The outline planning permission referred to above was granted in March 2015 and included a new livestock market site & associated agricultural business centre and a new business park comprising in total around 19,000 sq metres of floor space within use classes B1, B2, B8 and A1.

The design approach to all of the units is similar which assists in unifying the approach to the development of the business park. The colours of cladding for the roofs and walls together with the doors and window frames is also the same for all of the units which both have a significant overhanging roof detail. The roofs are proposed to be Goose wing grey with walls finished in a

combination of Merlin Grey and Hamlet (pale grey) cladding.

Copies of the submitted plans and elevations are appended to this report for Members information. The site location, layout plan and detailed landscape proposals plans show that the units are set in extensive areas of planting with a woodland mix areas shown on the southern and eastern site boundaries. Hedge and tree planting is also shown adjacent to the link road and adjacent to the internal site estate road. NYCC Highways have suggested there could be a need for some revisions to the planting specification where trees are currently proposed in relatively close proximity to the adjacent highway together with the provision of a turning head at the end of the internal estate road. The applicant has responded and a final response from NYCC Highways is awaited together with a response from the local Internal Drainage Board arising from their suggestion to widen the maintenance strip next to ditch which runs alongside to the southern boundary.

### **RELEVANT PLANNING HISTORY:**

Outline planning permission for new livestock market, agricultural business centre, Business Park and associated development Ref 14/00426/MOUTE approved 24.03. 2015

Construction of. Retention pond, associated landscaping and pumping station Ref.16/00251/MREM. Approved 24.05.2016

Formation of roundabout access and internal access road to serve development at Eden House Rd Ref 16/00412/FUL approved 08.07.2016

In addition to the above mentioned planning permission and reserved matters approvals the site is located on part of the land that is the subject of the Malton Food Enterprise Zone and associated Local Development Order that was adopted by the Council on 21st February 2017. The LO is the subject of a Master Plan which identifies the site as being within development Zone 3.

In the context of the LDO the master plan gives advice in respect of the design & heights of buildings, use of materials, structural landscaping, site specific landscaping and boundary treatments.

### **POLICY:**

The principle of development has been established by the earlier grant of outline planning permission. The reserved matters remain to be approved for the site and the following detailed development plan policies are of relevance to the consideration of this application.

#### Ryedale Plan Local Plan Strategy

Policy SP13 Landscapes

Policy SP14 Biodiversity

Policy SP15 Green Infrastructure Networks

Policy SP16 Design

Policy SP17 Managing Land, Air Quality and Natural Water Resources

Policy SP20 Generic Development Management Issues

### **APPRAISAL:**

The principle of the development of this site for the proposed uses is already established by the grant of outline permission set out above. This reserved matters application is however a major category of development proposal by virtue of the amount of floor space propose in the application (which exceeds 1000 sq. metres in floor area) and a decision on the application is therefore required by the Planning Committee under the Council's scheme of Officer Delegation.

The key considerations are considered to be:

- Design and Appearance,

- Landscape and Ecology,
- Drainage considerations,
- Highways access matters,

### Design and Appearance

These matters were reserved by the outline permission. The design approach promoted by the Local Development Order and Design code for developers wishing to take advantage of the LDO process sets out some parameters for the external appearance of buildings within the areas covered by the LDO. Whilst this is a 'conventional' reserved matters application the design approach promoted follows a number of the suggestions in the design code with regard to the proximity of buildings to boundaries, the landscaping of spaces (see below), the provision of shelter belts, spaces between buildings being landscaped, use of differing bands of cladding and limitations on heights of buildings.

The buildings are relatively low profile with strong overhanging eaves details which further recesses the units into the landscape when viewed from adjacent public vantage points. The site is within Zone 3 as identified in the LDO design code where buildings are recommended not to exceed 13 metres in height. These units are 9.1 and 10.1 metres at apex respectively and are well within the tolerances anticipated in the LDO. The submitted elevation drawings indicate complimentary shades of grey cladding for the roof and walls with anthracite powder coated coloured window frames and doors. Low level brickwork will be a buff colour again reflecting advice in the design code.

Overall the design and external appearance of the units is considered to be acceptable and compliant with Policies SP16 and SP20 of the Ryedale Plan Local Plan Strategy.

### Landscape and Ecology

A detailed landscape plan has been submitted with the application from Smeeden Foreman and this is appended to the report for Members information. The plan sets out the approach to both the structural landscaping of the site particularly around the west and southern boundaries and also the internal boundaries next to the east - west link road and the internal site road and plot boundaries. The structural landscaping is proposed as two blocks of native woodland with the remaining boundaries predominantly demarcated by native hedging. Wildflower seeded areas are proposed next to the wooded area and around the units with interspersed heavy standard trees adjacent to the south side of the link road and adjacent to the internal access road.

The plans have been assessed by the Council's Tree and Landscape Specialist who is happy with the specification proposed. The scheme is also considered to be acceptable in terms of enhancing Biodiversity locally arising from the planting of the areas of new woodland, extensive areas of hedgerow and wildflower seeded areas. Policies SP13 and SP14 are considered to be complied with.

The landscape consultant has also confirmed that no trees are to be planted within 1.5 metres of a footway or 2.5 metres of any road in order to satisfy comments received from NYCC Highways officers.

### Drainage

Yorkshire Water have raised no objection subject to conditions relating to separate systems of foul and surface water and details of the surface water outfall to be agreed. These are both however covered by conditions on the outline permission and do not therefore require replication in this reserved matters proposal. Yorkshire Water have confirmed that the submitted Flood Risk and Drainage Strategy report by JPG dated February 2018 is acceptable.

The Lead Local Flood Authority has deferred to the response of the Local Internal Drainage Board on the matter of surface water details. The Local IDB note that the ditches within the site will remain under the maintenance of the developer and had recommended that the maintenance strip be widened to 5 meters for machinery access. The applicant has responded by indicating that they believe the maintenance and access arrangements to be satisfactory as shown on the submitted plans and they have

confirmed that they will maintain the ditches by engaging a management company at their own expense. Any further comments on this issue from the IDB will be reported on the Late Pages or at the meeting.

Aside from any further comments of the IDB the application is considered to satisfy Policy SP 17 of the adopted Ryedale Plan Local Plan Strategy.

#### Highways access matters

NYCC Highways officers had responded requesting further information relating to long sections, construction and drainage detailed and these detailed engineering plans are awaited. The further comments of NYCC officers will be reported when available.

NYCC Officers have also recommend that a turning head facility be provided at the southern extent of the internal access road way. In response the applicant has stated that this road is intended to be a private access road. It has however been designed and will be constructed to adoptable standards (aside from the turning head) and when the second phase of the road is brought forward it will be finished off with a turning head detail.

In the meantime the applicant proposes to install retractable bollards near to the entrance of the private road which will be raised up at night. They also propose to limit lorry sizes given the small size of the individual units proposed. NYCC highways have been re consulted on these responses and their final views will be reported to Members on the Late Pages or at the meeting.

All of the units have now been provided with cycles spaces on the updated floor plans to meet the requirements of NYCC officers.

#### Other Matters

##### Third Party Responses

Malton Town Council have resolved to recommend Approval of the application

At the time of writing this report no other third party comments have been received.

Subject to the outstanding responses and requirements of the IDB and NYCC highways this reserved matters proposal is considered to be acceptable.

**RECOMMENDATION: Approval subject to any further revisions required arising from re consultation with the Vale of Pickering IDB & NYCC Highways and subject to the following conditions**

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

M2820 - P1-02 Site Location Plan  
M2820-P1-01 Rev B Site Layout Plan  
M2820-A-100 Rev B  
M2820-B-100 Rev C  
M2820-B-200 Rev B  
M2820-A2 Rev B  
LL01 Landscape Proposal  
M2820-B-101

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