

Planning Statement

Land at High Street, Amotherby





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ELG

1. INTRODUCTION

- 1.1 This statement accompanies an application for full planning consent for the erection of 5no. dwellings with parking and amenity areas on land at the former Malton Road Garage, Amotherby, North Yorkshire.
- 1.2 This statement will assess the proposals in the context of the development plan and any material considerations that are deemed relevant to the determination of the application, including the National Planning Policy Framework (NPPF). As such, it should be read in conjunction with the following information submitted as part of the planning application:
 - Ecological Appraisal;
 - Location Plan;
 - Noise Impact Assessment;
 - Phase 1 Contaminated Land Report;
 - Proposed Elevations and Floor Plans; and
 - Proposed Site Layout.

Structure of Statement

1.3 This statement is structured as follows:

Section 2 analyses the context of the site.

Section 3 sets out the relevant planning policy context.

Section 4 describes the development proposals.



Section 5 assesses the key planning issues and considerations relating to the proposals.

Section 6 draws conclusions on the overall findings of the statement.



2. SITE CONTEXT

2.1 The application site outlined in red at Figure
2.1 (right) is the former petrol filling station
located on the High Street (B1257) in
Amotherby. The village is approximately
three miles west of Malton and sits outside,
but is close to the boundary of the North York
Moors National Park. There are a small
number of services within the village,
including Amotherby Community Primary
School, The Queens Head Public House,
Cherry Tree B&B, Amotherby Village Hall and



Figure 2.1: Site LocationN.B. Red line added by ELG

St Helen's Church, along with a small number of employment opportunities such as Malton Foods and Zetechtics.

- 2.2 The context of the settlement is that of a sustainable rural village that has expanded from the junction connecting the B1257 and Amotherby Lane. The character of the village is undefined due to a mixture of build materials being present including, red brick, stone and render, however the vast majority of dwellings are moderate in size and two -storeys high. The dwellings opposite the site on Eastfield are two-storey semi-detached dwellings made of red brick with hipped roofs, whilst the dwellings directly to the north west of the site along the B1257 (Glencoe, Glenmore and Bentley House) are also made of red brick, but are larger new-build properties.
- 2.3 The site is located south east of Amotherby, fronting onto the B1257. The former petrol filling station has been vacant since before 2010, with the remaining buildings on site dilapidated and disused.
 Due to their position at the front of the site, these buildings occupy a prominent position visually.
 There are also a number of small unused buildings to the rear of the former petrol filling station



scattered along the south east of the site, along with a number of abandoned vehicles. The majority of the site is flat, however the rear of the site on the southern edge rises sharply and meets an old quarry face some four to five metres(m) in height and beyond that lies a cluster of large industrial buildings that forms Malton Foods, with the access road and staff parking area from the south running along the east of the site and connecting to the B1257. A track connects to the B1257 to the west of Glencoe House and extends southwards along the western boundary of the site and to the Malton Foods site. There are a number of trees scattered across the site with overgrown shrubbery.

Planning History

- 2.4 The site has been subject to the following planning history:
 - **03/0039/OUT:** Outline application with all matters reserved for redevelopment of the site for residential development. Refused 9th June 2006, the decision was appealed and dismissed 27th March 2007 due to the noise pollution caused by the food processing plant to the south of the site resulting in a poor level of ammenity for future occupants, and the scale and character of the proposed design being deemed inappropriate.
 - 17/00636/MFUL: A full application for the erection of 12no. three bed dwellings was refused 21st December 2017 for the following five reasons:
 - 1. The proposed residential development is not considered to provide for a satisfactory level of residential amenity. This is because of its close proximity to Malton Foods immediately to the south, a designated employment site, and the B1257 to the north. The consequential noise and disturbance form machinery, plant, equipment and activity from Malton Foods and from road traffic noise is considered to be incompatible with the proposed residential development. This will mean that occupiers of the proposed dwellings will be unable to open windows for natural



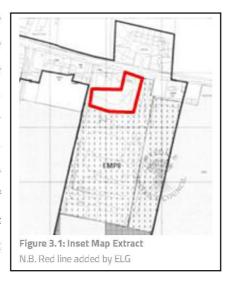
- ventilation without experiencing excessive noise levels or use their private garden without being subject to unacceptable noise levels. The proposed development is thereby contrary to the requirements of Policy SP20 of the Local Plan Strategy.
- 2. The close proximity of Plots 6-13 to the steep bank to the southern side and proposed retaining wall is not considered to provide for a satisfactory level of amenity and would result in an opporessive outlook for these properties. The proposal is therefore considered to be contrary to the requirements of Policy SP20 of the Local Plan Strategy.
- 3. The proposed residential scheme by virtue of the number of dwellings proposed; their design and mix; cramped layout; the location of parking areas; and the loss of existing landscaping; is not considered to reinforce local distinctiveness and is considered to be detrimental to the character and appearance of the area. The proposal is therefore considered to be contrary to the requirements of Policy SP16 and SP20 of the Local Plan Strategy.
- 4. The development of this site for 15 dwellings immediately adjoining the allocated employment site would be likely to prejudice the long-term operations of this employment site by giving rise to complaints about their operations and activity at the site by virtue of the close relationship between this site and the allocated employment site. The proposal is therefore considered to be contrary to Para 7,18, and 19 of the NPPF, Policy SP20 and risks the future exposure of the business in accordance with 'saved' Policy EMP7 of the Ryedale Local Plan.
- 5. There is insufficient information submitted to demonstrate how surface water from the application site can be satisfactorily drained. The proposed development is therefore contrary to the requirements of Policy SP17 of the Local Plan Strategy and NPPF.
- 2.5 The assessment within the Officer's Report for the 2017 application will be drawn upon within the relevant sections of this statement.



3. PLANNING POLICY CONTEXT

The Adopted Development Plan

- 3.1 For the site in question, the Development Plan in force for the area comprises of:
 - Ryedale Plan Local Plan Strategy (2013); and
 - Ryedale Local Plan (Saved Policies) (2002).
- 3.2 As shown by Figure 3.1 (right), the application site (denoted by the red outline) is located within the development limits for Amotherby (denoted by the black solid line) and is unallocated 'white land'. Malton Foods factory to the south is allocated under Policy EMP8 (Existing Industrial/Business Area), with the site extending to the south of this which is allocated under Policy EMP7 (Land for Expansion of Existing Employer). The area outside Development Limits south of the B1257 is an Area of Outstanding Natural Beauty (AONB).



- 3.3 With this in mind, the below Development Plan Policies are relevant to the assessment of this application:
 - Local Plan Policy SP1: General Location of Development and Settlement Hierarchy;
 - Local Plan Policy SP2: Delivery and Distribution of New Housing;
 - Local Plan Policy SP3: Affordable Housing;
 - Local Plan Policy SP4: Type and Mix of New Housing;



- Local Plan Policy SP6: Delivery and Distribution of Employment Land and Premises;
- Local Plan Policy SP16: Design;
- Local Plan Policy SP17: Managing Air Quality, Land and Water Resources;
- Local Plan Policy SP19: Presumption in Favour of Sustainable Development;
- Local Plan Policy SP20: Generic Development Management Issues; and
- Local Plan Policy SP22: Planning Obligations, Developer Contribution and the Community Infastructure Levy.

Material Considerations

National Planning Policy Framework

- Published in March 2012, the NPPF sets out the Government's planning policies for England and how these are expected to be applied. As such, it is a material consideration in planning decisions.
- 3.5 The NPPF states the purpose of the planning system is to contribute towards the achievement of sustainable development with three dimensions to this: economic, social and environmental. These (dimensions) give rise to the need for the planning system to perform a number of roles:
 - An Economic Role contributing to building a strong, responsive and competitive
 economy, by ensuring that sufficient land of the right type is available in the right places
 at the right time to support growth and innovation; and by identifying and coordinating
 development requirements, including the provision of infrastructure;
 - A Social Role supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and



- An Environmental Role contributing to protecting and enhancing our natural, built and
 historic environment; and, as part of this, helping to improve biodiversity, use natural
 resources prudently, minimise waste and pollution, and mitigate and adapt to climate
 change including moving to low carbon energy.
- 3.6 Paragraph 14 of the NPPF confirms a presumption in favour of sustainable development lies at its heart, which should be seen as a golden thread running through plan-making and decision taking.
- 3.7 For decision-taking this means:
 - Approving development proposals that accord with the development plan without delay;
 - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
- 3.8 The specific policy areas of the NPPF will be referred to, as appropriate, throughout this statement.

Ryedale Rural Design Guide

3.9 The Rural Design Guide was adopted in 1995 by Ryedale District Council for the use of prospective housebuildings and their designers when designing new development within the region; it shall be drawn upon where necessary within this statement.



Ryedale Residential Design Guide

3.10 The Residential Design Guide was adopted in 1995 by Ryedale District Council to provide guidance to housing developers when designing the layout of new housing areas; the guidance within this document will also be referred to within this statement where appropriate.

Emerging Local Plan Sites

- 3.11 Ryedale District Council submitted the Local Plan Sites Document and Policies Map to the Planning Inspectorate on 29th March 2018 for Examination, the hearing sessions for which will be held towards the end of September and into October 2018.
- 3.12 As part of the above, the site was put forward for mixed-use development. The site assessment considered that whilst the site is in close proximity to the Malton Foods Factory, it is likely that noise mitigation measures could be implemented and that residential amenity issues could be considered through siting, orientiation and treatments of the windows. North Yorkshire County Council (Highways) assessed the suitability of the site and considered that access could be achieved, but a footpath across the frontage may be required. However, the site is not proposed as an allocation within the emerging Local Plan, albeit it will remain inside the development limits.
- 3.13 This document is at an advanced stage of preparation and will form part of the Statutory Development Plan when adopted. Thus, it is a material consideration and should be afforded some weight in the assessment of these development proposals, and will be referred to where necessary within this statement.



4. DEVELOPMENT PROPOSALS

4.1 This application seeks full planning consent the erection of 5no. dwellings with parking and amenity areas on land at former Malton Road Garage, Amotherby, North Yorkshire. As set out within the Site Context section, the buildings which were operated as the former petrol garage are still present on the north of the site fronting onto the B1257 and will be demolished as part of the proposals. To the rear of the former petrol filling station are a number of trees, shrubbery and disused vehicles which will also be removed. The proposed site layout is shown below at Figure 4.1.



4.2 A footpath will extend across the front of Plot 1 at the front of the site, and an access road will be formed on the west side of the frontage onto the B1257 where the current buildings are *in situ*. The road will run southwards with a 1.5 metre (m) wide footpath along the east providing pedestrian access to three of the dwellings on the east of the site, the other two dwellings will be on the south west section of the site. Each of the dwellings will have a detached garage, and benefit from at least 2no. parking spaces.



4.3 The proposed site layout plan shows there will be two house types, both of which are four-bed properties with a detached garage. Plots 2, 4 and 5 will be type A (Mandalay), whilst plots 1 and 3 will be type B (Sapphire), with these units demonstrated visually at Figure 4.2.





5. PLANNING ASSESSMENT

- 5.1 Taking into account the proposed scheme, previous planning history and site context, the main planning considerations in relation to the development proposals are considered to be:
 - Principle of development;
 - Addressing the reasons for refusal of 17/00636/MFUL;
 - Reason 1: Noise impact on plots to the south side;
 - o Reason 2: Overlooking plots on the south of the site;
 - Reason 3: Density and design;
 - o Reason 4. Prejudice long term options of the site for employment use;
 - o Reason 5: lack of drainage information;
 - Other material planning considerations;
 - Amenity of existing dwellings;
 - o Contamination;
 - Highways and access;
 - Ecology; and
 - CIL and affordable housing contributions.

Principle of development

5.2 The site is 'white land', by virtue of it not being allocated for any kind of development and its location within the development limits of Amotherby; a designated Local Service Centre (Service Village) in the Settlement Hierarchy within Local Plan Policy SP1 (General Location of Development and Settlement Hierarchy) and a tertiary focus for growth. Local Plan Policy SP2 (Delivery and



Distribution of New Housing) supports the provision of new homes in instances where it would be an infill development or the redevelopment of previously developed land (PDL).

- 5.3 The emerging Local Plan Sites Document does not allocate the site for any form of development (albeit it remains inside the development limits), despite it being put forward as a possible site for mixed development. The Publication Document concluded that it is unlikely concerns relating to amenity issues can be sufficiently mitigated in conjunction with delivering a meaningful contribution and was not included in the draft allocations submitted to the Inspector accordingly. However, the site assessment confirmed that a number of aspects relating to the site were acceptable and could be satisfied appropriately, including highways, flooding and ecology, whilst the re-use of brownfield land was deemed favourable.
- Appeal APP/Y2736/2027637/NWF against the decision to refuse outline application 03/0039/OUT considered that, in principle, the site may be unsuitable due to noise from the Malton Food Factory and developing this site may stymie the growth of an important local business. The Committee Report for the recent full application (17/00637/MFUL) drew upon the Inspector's summary and considered that, based on issues relating to noise, the principle of residential development on this site is questionable.
- 5.5 However, it is salient to note that the site has been disused and delapidated for a considerable period of time, and its redevelopment would surely be welcomed on the basis it would enhance the poor visual amenity of the frontage onto the B1257, make the best use of this vacant PDL, and provide economic benefits for the local economy in a sustainable location. Matters relating to noise are noted and will be addressed in the subsequent section, but in policy terms it has been confirmed during previous applications and site assessments that redeveloping the site would be suitable and all other planning matters, in principle, could be addressed.



Reasons ro refuse application 17/00636/MFUL

Reason 1: Unsatisfactory levels of amenity of future occupants by virtue of noise impacts from Malton Foods to the south and the B1257 across the north.

The Malton Foods site lies directly to the south of the application site. As a result, four shipping containers are sited in close proximity to this boundary, with a small number of features that may impact upon the residential amenity of future occupants of the proposed development, including the potential presence of air conditioning units, refrigeration units and the intermitent operation of fork lift trucks. It was previously considered by Officers that these noise constraints associated with the Malton Foods site are incompatible with residential development, and thus the earlier application was contrary to Policy SP20.

5.7 In response, an updated Noise Assessment (based on the latest site layout) has been undertaken by BWB Consulting. This concluded as follows:

The external noise levels in the worst affected rear garden areas have been determined based on the results of the baseline noise survey and the proposed scheme layout. It has been identified that the external noise level criteria of 50 dB is predicted to either be exceeded by a negligible margin (≈1dB) or achieved, in the worst affected garden spaces. Therefore, no further mitigation measures are considered to be warranted.'

And

Consideration has been given to internal noise levels at the worst affected façade adjacent to the B1257 and adjacent to the boundary with Malton Foods. Detailed noise break-in calculations have been undertaken and it has been identified that the most stringent internal noise level criteria from BS 8233, are predicted to be exceeded by a negligible margin (\approx 1dB) or achieved. Therefore, no further



mitigation measures are considered to be warranted other than the placement of appropriately positioned 1.8m barriers around some of the gardens.'

And

'Based on the findings of the assessment it is considered that noise need not be a determining factor in granting planning permission for the scheme.'

In terms of internal noise levels, the above assessment was based on a scenario of closed windows. In contrast, Environmental Health responses to the previous application indicate the Council have consistentily looked for permissible noise levels to be achieved with partially open windows. Whilst this approach elsewhere is noted, we are of the firm opinion this should not be a blanket strategy applied across the borough that overrides other material planning considerations that would, in contrast, weigh in favour of the scheme. In this instance for example, the proposals would result in the re-use of previously developed land and a major improvement to a derelict site that presently visually detracts from the village and the setting of adjacent dwellings. With this in mind, it is not considered that the small number of units proposed should be regarded unacceptable on the basis permissible noise levels are achieved with closed windows and mechanical ventilation (the precise details of which can be secured through a suitably-worded pre-commencement condition), which are common technologies that would allow this issue to be overcome fully, enabling the other benefits of development to be realised.

Reason 2: Unsatisfactory levels of amenity of future occupants of Plots 6-13 by virtue of the oppressive outlook as a result of the steep bank.

5.9 The proposed site layout has addressed this previous concern by reducing the number of dwellings substantially. This has allowed for a more open, spacious layout and much larger rear garden areas than was previously the case (see Figure 5.1), thus enhancing the amenity and outlook that would



be enjoyed by future occupiers as a result. In light of these considerations, the proposed scheme is now considered in accordance with Policy SP20.





Reason 3: Impact upon the character and appearance of the area by virtue of: design and mix; cramped layout; the location of parking areas; and the loss of landscaping.

5.10 The context of the local character has been set out within point 2.2 of this statement and assessed within the previous applications. The Officer made the following points in assessing application 17/0 0636/MFUL:

'the surrounding locality is far from suburban being the edge of rural village with an establish low-medium density character.'

And

The scheme proposed is considered to provide a cramped layout, at odds with the character and form of the immediate properties, comprising mainly detached dwellings set within relatively large plots.'

And

The proposed frontage parking arrangements for each dwelling is considered to provide a very car dominant environment, again at odds with this rural character.'

And

For these reasons the design, density, layout and loss of planting is considered to be contrary to the requirements of Policies SP16 and SP20.'



Layout and density

- 5.11 In order to address this previous reason for refusal, the number of dwellings proposed has been reduced dramatically, allowing a more spacious, less cramped layout, and which has had the effect of reducing density to a level more akin to adjacent dwellings (see Figure 5.1). Similarly, the size of the proposed properties has increased so as to be more reflective of those nearby; namely, detached dwellings set within large plots.
- 5.12 In addition to the above, and as noted in the Officer's assessment of application 17/00636/MFUL, the previous scheme proposed parking to the front of the dwellings, which was considered to reflect an urban form of development contrary to the local rural character. In response to this point, the proposed site layout submitted now shows minimal parking to the site frontage and much reduced hardstanding, which provides a softer site frontage more commensurate with the rural location and, in turn, the Ryedale Rural Design Guide. Indeed, the presence of grass verges along the frontage of the site has been retained where possible.
- 5.13 For the above reasons, the proposed site layout is deemed to accord with Local Plan Policy SP16 and all other relevant policies.

House types

5.14 The proposed house types are shown at Figure 4.2 of this statement. The two different house types proposed (A and B) are detached four-bed dwellings, two-storeys in height and with a pitched roof. The shapes are relatively simple (rectangular), as recommended by the Ryedale Rural Design Guide, along with subordinate porches and garages, as visible on house type A. The submitted plans for both house types also show well-proportioned, vertically-aligned fenestrations, in accordance with



the Ryedale Rural Design Guide. Details of the build materials can be sought via a suitably-worded condition.

In light of the above, the house types reflect architectural features and aspects of the adjoining dwellings to the north west, and the features show details identified as being suitable to the area as identified within Point 3.15.3 of the Ryedale Residential Design Guide. Compliance with Local Plan Policy SP16 is evident accordingly.

Landscaping

5.16 By virtue of the reduced number of units, soft landscaping (in the form of private gardens and verges) within the scheme will increase substantially under the current proposals. Whilst all trees on-site will be removed to facilitate the development, the Dendra Arboricultural Impact Assessment that accompanied the original application found there were no 'High Quality' trees present on site, with only a small number of 'Moderate Quality' trees, with most being of 'Low Quality'. Nevertheless, a scheme of landscaping is proposed as part of the development, the precise details of which can be secured by conditions to ensure compliance with Local Plan Policy SP16.

Reason 4: Development of the site will prejudice the long term operations of the Malton Foods site due to complaints

5.17 As referenced earlier in this statement (see paragraphs 5.7 - 5.8), the submitted Noise Assessment found that noise need not be a determining factor in granting planning permission for the scheme, and that with appropriate mitigation measures suitable amenity levels can be achieved (in line with World Health Organisation [WHO] and British Standards). In addition, it is noted that the Council's Environment Health Officer raised no light pollution concerns as part of the original application, and as such, it must be concluded that this is not a determining factor for the application. On this point, it is considered that the slope at the rear of the site together with (acoustic) fencing at the top will



minimise any potential for light impacts to plot 4, which is the only property with habitable windows facing south towards the Malton Foods site.

5.18 In conclusion, it can be seen that the development proposals will not stymie the ongoing operations at the Malton Foods site, and accordingly there will be no conflicts with NPPF paragraphs 7, 8 and 18, Local Plan Policy SP20, or saved Local Plan Policy EMP7.

Reason 5: Insufficient information demonstrating how surface water can be satisfactorily drained from the site.

5.19 Pertinently, no objections to the previous application were raised by Yorkshire Water, who proposed conditions in respect of the foul water connection. Nevertheless, previous comments from the Lead Local Flood Authority in relation to surface water are noted, and a suitable drainage strategy will be provided as part of the application in due course.

Other material considerations

Amenity of existing dwellings

5.20 Likewise the previous application, Figure 5.2 overleaf illustrates that separation distances between the proposed dwellings and the closest neighbouring properties will be well in excess of the required



standards (point 3.10.2 of Ryedale's Residential Design Guide requires a 10m gap between habitable rooms and gable ends), in line with Local Plan Policy SP20.



Contamination

No change from the previous application, where Environmental Health accepted the findings of the
 Phase 1 Contaminated Land Report and recommended a pre-commencement condition to require a
 Phase 2 Report. This Phase 1 Report has been re-submitted as part of this application accordingly.

Highways

Access into the site is unchanged from that deemed acceptable under the original application, and each dwelling will be served by at least 2no. car parking spaces and a private garage (3no. spaces in

total) in line with the relevant parking standards. Similar conditions to those proposed previously are

anticipated.

Ecology

5.23 No change from the previous application, where the Countryside Management Specialist raised no

objections but requested a condition be attached to any consent to ensure the Method Statement

within the Ecological Appraisal is followed to protect any important species that may be on site. This

Ecological Appraisal has been resubmiited as part of this application accordingly.

Affordable housing and CIL contributions

5.24 Ryedale District Council has adopted its Community Infrastructure Levy (CIL) and, as a result, any

consent is subject to a charge of £85 per square metre (sq.m). The relevant forms have been provided

as part of this application.

5.25 With regards to affordable housing, the Council's Housing Officer previously accepted that Vacant

Building Credit (VBC) can be used on this site and the existing vacant buildings on site total 434sq.m.

Accordingly, the following calculation, based on Planning Practice Guidance, has been carried out to

establish the requirement:

Total floorspace of new development: 790sq.m

Existing vacant building floorspace: 434sq.m

35% (affordable) of 5 houses: 1.75 houses

Uplift in floorspace: 356sq.m

323sqm as a percentage of overall development: 45%

1.75 x 45% = **0.79 units**

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- 5.26 This method was previously confirmed as acceptable by the Council's Housing Officer.
- 5.27 As the required affordable housing would fall below a whole unit, in line with Local Plan Policy SP3 no affordable units are proposed on-site the applicant would provide an equivalent off-site financial contribution in accordance with Policies SP3 and SP22. Once an affordable housing requirement is agreed, this can be secured via a Section 106 between Ryedale District Council and our client.
- 5.28 Notwithstanding the above, and given the considerable remediation costs which are still unknown, the applicant reserves the right to submit a viability assessment in due course, prior to agreeing any affordable housing requirement.



6. CONCLUSIONS

- 6.1 This statement has been produced to accompany a full application for the erection of of 5no.

 dwellings with parking and amenity areas on land at the former Malton Road Garage, Amotherby,

 North Yorkshire.
- 6.2 Having examined the policy context, it is clear the development proposals will accord with all of the relevant NPPF and development plan policies (as outlined in the below table), and there are no material considerations that indicate planning permission should be restricted, as all technical issues can be overcome using standard mitigation measures.

The Development Plan							
	'Saved' Policies and Maps of the	The Local Plan Strategy (2013)					
	Ryedale Local Plan (2002)						
Principle of Development	Proposals Map	SP1, SP2, SP19, SP20					
Delivering a Wide Choice of High		SP2, SP3, SP4					
Quality Homes							
Requiring Good Design		SP16					
Promoting Healthy Communities		SP4, SP11					
Meeting the Challenge of Climate		SP17					
Change, Flooding & Costal							
Change							
Conserving and Enhancing the		SP13, SP14, SP17					
Natural Environment							
Conserving and Enhancing the	N/A						
Historic Environment							
Planning Obligations		SP22					

- 6.3 In addition to the above, there are a number of significant material benefits that will flow from the granting of planning permission including:
 - Redevelopment of PDL within development limits;
 - Delivery of 5no. family dwellings in a sustainable and suitable location;
 - A significant enhancement to the setting of both the village itself and dwellings adjacent to the site; and



- Provision of high quality dwellings of a size and style which is well-suited to the local area.
- 6.4 As a policy compliant form of development, we respectfully request that the Council resolves to grant planning permission without delay in line with the NPPF's presumption in favour of sustainable development, subject to any conditions they deem appropriate on this occasion.