

AMOTHERBY PARISH COUNCIL

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13 September 2022

Application 21/01530/MFUL – consultation on revised plans of August 2022

Dear Sir or Madam

Thank you for the correspondence of 22 August 2022 regarding amendments to the above submitted scheme.

The Parish Council continues to OBJECT to the proposed scheme on the basis of their response dated 4th January 2022 and in addition OBJECTS to the submitted revisions for the reasons given below.

None of the legitimate concerns of the Parish Council (given in Summary on pg 3 of the 4th January 2022 letter) or raised by residents in comments sent to RDC have been addressed in the revised plans. This is of deep concern as the application has been with the District Council for 10 months, giving ample time for them to be addressed. The revisions appear only to be in response to concerns raised by NYCC Highways and RDC Environmental Health.

It is understood the main areas of amendment are in respect of landscaping and acoustic fencing. Whilst the amendments appear to be relatively innocuous, they do belie further concerns that the Parish Council have regarding the proposal and the why this site was selected for development. It is very worrying that during the time that the application has been with the District Council no amendments have been received that address the legitimate objections raised by the Parish Council in the letter of 4 Jan 2022 and submitted (with copies also being sent to Planning Committee Members.) The objections were not baseless acts of resistance to the development of the site in question. The Community had accepted that the site could be developed but in accordance with the Ryedale Local Plan adopted in June 2019, with particular reference to Policy SD10 and accompanying Development Principles.

Of the 14 Development Principles, (which form part of the Local Plan and are required to be complied with, otherwise there would be no point in having them) the Parish Council identified 6 which have not been met or are questionable in terms of compliance. These are all fundamental to the scale, design, layout, servicing, and impact on the Community. None of the submitted amendments address the stated shortcomings and **the objections submitted by the Parish Council in January 2022 remain.**

Whilst the submitted amendments do not overcome the obvious shortcomings of the proposed development, they do raise further questions regarding its acceptability and the suitability of the site for development in its current form.

The main area of concern derived from the submitted landscaping and fencing/acoustic screening plans relates to the treatment of the southern boundary of the site-which is obviously important as it abuts the B1257 Malton to Helmsley Road and is close to the boundary with the Howardian Hills Area of Outstanding Natural Beauty. The importance of this boundary is highlighted in the Planning Inspectors Report into the Sites Document which states at 07 :-

“Due to the depth of the site a substantial buffer can be created to reduce the potential of noise from the busy B1257 road. Development principles also seek to ensure the retention of the hedge along the main road which will help reduce the visibility of the development when viewed from the Area of Outstanding Natural Beauty.

The Inspector’s words are “substantial” and reference is made of the depth of the site implying there is sufficient room to establish this substantial buffer. Substantial is stated to be of considerable importance. This has not been provided. The Parish Council were initially concerned regarding the treatment of this area and the submitted amendments bring into focus the inadequacies of the submitted scheme.

There have obviously been concerns regarding how this area of the site can be treated with particular reference to noise and highway issues. Although the District Council have stated in the Development Principles of Policy SD10 that the hedge along the boundary with the B1257 shall be retained 43% of the hedge is proposed to be removed to provide site access and visibility. No account appears to be taken of this requirement when the site was allocated for development and the principle of hedge retention became a Development Principle. The proposed replacement hedge is noted but it does not accord with the development principles and will take considerable time to become established. The access point itself is significant in that it gives clear views into the site. This situation brings into focus the lack of a “substantial buffer” adjacent to the B1257. What has been provided is a grassed area with intermittent tree planting in an area measuring between approximately 16 and 20 metres in depth and includes the hedge that should be retained. This is not considered to be substantial and when viewed as part of the development as a whole it is clearly not.

The inadequacy of the buffer is further compounded by issues of noise nuisance emanating from the B1257 and adversely impacting on residents of the proposed housing. Little or no account of this issue has been considered during the establishment of the layout. Hence a layout that has housing too close to the B1257 from a noise nuisance point of view. This issue appears to have come to light relatively recently and the developer’s response to the problem is not to revise the scheme with less housing at the southern end and the establishment of a “substantial buffer” but to erect a 1.5m acoustic screen set upon a 0.3m bund. This proposal flies in the face of the development principles and establishes a contrived and incongruous solution.

If a substantial buffer was provided at the southern end of the site and the row of 12 units nearest the highway removed it would satisfy the development principles for the site by reducing noise impact, visual impact and reduce the total number of dwellings to 46, far closer to the indicative yield of 40 dwellings than the 58 proposed.

Please refer also to a supplementary letter regarding the footpath across the site.

Yours sincerely

Sara Bath

Clerk to Amotherby Parish Council