



# Reserved Matters Supporting Statement

Prepared on behalf of Mr Ian Mason and Mr Richard Mason

Land off High Street, Sherburn, Malton, North Yorkshire

**JohnsonMowat**  
Planning & Development Consultants

In support of a Reserved Matters Application for the proposed residential development of 73 dwellings, provision of open space incorporating children's play areas, attenuation basin and landscaping, pumping station, highway improvements and associated works. (Reserved Matters submission following the approval of 16/00081/73AM).

February 2019



---

Mr Ian Mason and Mr Richard Mason  
Land off High Street, Sherburn, Malton, North Yorkshire

Reserved Matters Supporting Statement

Date: 28<sup>th</sup> February 2019

Johnson Mowat  
Planning & Development Consultants  
Coronet House  
Queen Street  
Leeds  
LS21 2TW



w. [www.johnsonmowat.co.uk](http://www.johnsonmowat.co.uk)





## LIMITATIONS

The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

All of the comments and opinions contained in this report, including any conclusions, are based on the information obtained by Johnson Mowat Planning Ltd during our investigations.

Except as otherwise requested by the Client, Johnson Mowat Planning Ltd is not obliged and disclaims any obligation to update the report for events taking place after:

- a) the date on which this assessment was undertaken; and
- b) the date on which the final report is delivered.

Johnson Mowat Planning Ltd makes no representation whatsoever concerning the legal significance of its findings or to other legal matters referred to in the following report.

This report has been prepared for the sole use of the Client. No other third parties may rely upon or reproduce the contents of this report without the written permission of Johnson Mowat Planning Ltd. If any unauthorised third party comes into possession of this report they rely on it at their own risk and the authors do not owe them any Duty of Care or Skill.



## **CONTENTS**

---

**1.0 INTRODUCTION**

**2.0 PLANNING HISTORY**

**3.0 THE SCHEME PROPOSALS**

**4.0 CONCLUSIONS**



## 1.0 INTRODUCTION

- 1.1 This Reserved Matters Supporting Statement has been produced in support of a Reserved Matters Application for the proposed residential development of 73 dwellings, provision of open space incorporating children's play areas, attenuation basin and landscaping, pumping station, highway improvements and associated works on Land off High Street, Sherburn, Malton, North Yorkshire. The report has been produced on behalf of Mr Ian Mason and Mr Richard Mason.
- 1.2 The Reserved Matters submission seeks approval for the matters of appearance, landscaping, layout and scale and is being made following the approval of a Section 73 Variation of Conditions Application. The application was granted permission to vary conditions 21 and 31 and the removal of conditions 6, 7 and 8 pertaining to application 14/01207/MOUT on 21<sup>st</sup> March 2016.

### Local Context

- 1.3 The Council are currently undertaking work to produce a new Local Plan known as the Ryedale Plan - Local Plan Sites Document. This new plan will make site specific policies and identify areas of land for specific uses, known as 'allocations'. These will be shown on the Policies Map.
- 1.4 The emerging Local Plan is currently out for consultation on Main Modifications following the Examination in Public.

### National Context

- 1.5 The Government is determined to fix the broken housing market, and restore the dream of home ownership for a new generation. In England, average house prices are now almost 8 times the average worker's salary; in parts of the West Midlands, they are over 9 times; in London, they are nearly 12 times. Despite the government's support for home ownership – such as helping over 320,000 people through the Help to Buy schemes – home ownership rates have declined.<sup>1</sup> This is especially true for young people, for whom home ownership has fallen by 20% since 2003-04.<sup>2</sup>

---

<sup>1</sup> 'Help to Buy (Equity Loan scheme) and Help to Buy: NewBuy statistics: Data to 30 June 2017, England', DCLG, September 2017 (more information available in 'Autumn Budget 2017 data sources')

<sup>2</sup> 'English Housing Survey headline report 2015 to 2016: section 1 household tables', DCLG, March 2017. Percentage change in homeownership for 25-34 year olds was 20.4% between 2003-04 (58.6%) and 2015-16 (38.2%)



- 1.6 The cost of housing near the most productive centres of employment has become a barrier to productivity growth. High house prices can prevent people from living near the best job opportunities for them, limiting the productivity of companies that might have employed them.
- 1.7 The only sustainable way of making housing more affordable in the long term is to build more homes in the right places. The Government has made strong progress: housing supply has increased by over 1.3 million since 2010, including more than 333,000 affordable homes.<sup>3</sup> The latest figures show that housing delivery in 2017/18 was 222,190 in comparison to 137,390 in 2010-11.<sup>4</sup> This demonstrates an increase of nearly 62%.
- 1.8 Whilst there is no single solution to this problem, the Government needs to push on all fronts. A key component of this push is an increase in the availability of land supply to speed up the building of new homes. In order to achieve this, the Government has made it clear that there should be an effective use of land in a way that makes as much use as possible of previously developed land or 'brownfield' land.
- 1.9 This Reserved Matters Supporting Statement should be read alongside the technical documents which form this planning submission. These are as follows:
- Design and Access Statement – APD Ltd (February 2019)
  - Ecological Mitigation, Enhancement and Management Report – FPCR (February 2019)
  - Noise Assessment Report – Wardell Armstrong (February 2019)
- 1.10 This Reserved Matters Supporting Statement identifies the site location and provides a description of the site forming this outline application, outlines relevant planning history, sets out the relevant planning policy context and concludes with the planning case in support of a proposed residential scheme.

---

<sup>3</sup> GOV.UK Press Release Housebuilding soars to highest levels in almost a decade 24<sup>th</sup> August 2017

<sup>4</sup> Table 120 Components of net housing supply; England: 2017-18, DCLG, November 2018



## **2.0 PLANNING HISTORY**

- 2.1 The relevant planning history pertaining to this site firstly relates to an Outline Planning Application for the demolition of 1no. existing cow shed, erection of up to 73no. dwellings (including up to 35% affordable housing), structural planting and landscaping, informal public open space, children's play area, surface water attenuation, a vehicular access point from Sked Dale Road and associated ancillary works (Application Ref: 14/01207/MOUT). This application was approved planning permission on 3rd November 2015.
  
- 2.2 A Variation of Condition application (16/00081/73AM) was submitted on 19th January 2016 to vary and remove a number of conditions on application 14/01207/MOUT. This application was approved on 21st March 2016.



### 3.0 THE SCHEME PROPOSALS

3.1 This Reserved Matters Application seeks planning permission for the following matters as per Condition 2 of application reference 16/00081/73AM:-

- Appearance
- Landscaping
- Layout
- Scale

3.2 All of the matters above are addressed within the supporting plans and within the accompanying Design and Access Statement.

3.3 The scheme proposals forming this submission address the above matters as well as including a detailed scheme for the mitigation of noise and the mitigation and enhancement works in relation to wildlife and biodiversity. These are requirements of conditions 3 and 29 of the Section 73 permission.

3.4 Furthermore, the scheme proposals address informative No.01 of the Section 73 permission which states as follows:-

*"The applicant/developer is advised that the Reserved Matters application relating to external appearance should include precise details of all external materials including roofing details, boundaries and windows, and a 1m<sup>2</sup> panel of all walling types".*

3.5 With respect to residential dwellings, the scheme proposals seek to fix the dwelling numbers on this site to 73. The housing mix proposed for this scheme is detailed in the table below and within the schedule of accommodation forming the Planning Layout (Drawing Ref: PL01 Rev B):-

Code	Bed and Type	Storey	Unit Nos
A	2 Bed Det/Mews	2	17
A2	2 Bed Mews	2	8
A3	2 Bed Semi	2	2
B	3 Bed Semi	2	4





B2	3 Bed Semi	2	1
C1	3 Bed Det/Semi	2	4
C2	3 Bed Detached	2	1
D2	3 Bed Semi	2	6
E	3 Bed Detached	2	1
G	4 Bed Detached	2	4
H	4 Bed Detached	2	5
J	4 Bed Detached	2	3
K	4 Bed Detached	2	1
L	4 Bed Detached	2	2
N	2 Bed Bungalow	2	4
2xP	1 Bed Apartments	2	8
Q	4 Bed Detached	2	2
<b>TOTAL</b>			<b>73 dwellings</b>

3.6 Forming part of this housing mix is the provision of 26 affordable homes to comply with Policy SP3 of the Ryedale Plan – Local Plan Strategy which requires 35% affordable housing. The affordable units are shown on the Proposed Planning Layout and comprise a mix of 2 bedroom and 4 bedroom accommodation. The allocated affordable dwellings are located within the scheme as follows:-

23 x 2 bedroom dwellings – Plots 5, 39-58, 30 & 31

3 x 4 bedroom dwellings – Plots 7, 65 & 68



3.7 In line with the Section 106 Agreement pertaining to the Section 73 application the tenure split associated with the affordable units is as follows:-

**Rented Dwellings**

21 No. 2 bed houses (11 Social Rented and 10 Affordable Rented); and  
2 No. 4 bed houses (1 Social Rented and 1 Affordable Rented)

**Intermediate Dwellings**

2 No. 2 bed houses  
1 No. 4 bed house

3.8 With respect to the layout of this proposed scheme, changes have been made to the approved layout and these include but are not limited to:-

- The development blocks and road layout on the northern perimeter have been changed creating an acoustic barrier between the A64 and the application site.
- Changes made to the development blocks, setting of focal points within the development and the network of pedestrian routes.
- Pedestrian links to the High Street and Sked Dale Road provided as per the outline.
- Green buffers and open space maintained.
- Access from Sked Dale Road maintained.

3.9 This reserved matters scheme would facilitate the following:-

- A range of distinctive family houses.
- A range of dwelling sizes and features of a consistent architectural style that compliments the local vernacular.
- A coherent design and landscaping features to fit with the local landscape character.
- The development is of a greater density fronting onto High Street to ensure noise levels from the A64 are minimised across the whole site.

**Noise**

3.10 As referred at Paragraph 3.3 above this Reserved Matters application seeks to address the matter of noise mitigation as required within Condition 3 of the Section 73 planning permission. This condition states:-

*“The Reserved Matters application(s) relating to siting, scale and appearance of the dwellings hereby permitted shall include a detailed scheme for the mitigation of noise that shall be approved in writing to the Local Planning Authority prior to commencement of the development hereby approved. The scheme of mitigation shall protect the proposed*



*development from traffic noise from the adjoining roads and from industrial noise for the nearby allocated employment site to the north. The scheme of mitigation shall include the following:-*

*1). In relation to steady continuous noise, the scheme shall be designed to achieve the following noise levels:-*

*i). Living rooms – 35dBLAeq (07.00 – 23.00)*

*ii) Bedrooms – 30 dBLAeq 23.00 – 07.00, and 45 dBLAmax 23.00 – 07.00 (This shall be predicted for at least partially open windows allowing for a sound reduction of 15 dBA free field unless the developer has a good reason why a higher reduction is acceptable).*

*iii. Private garden areas 50dBLAeq 07.00 – 23.00*

*2). In relation to industrial noise the scheme shall demonstrate through measurement and modelling that industrial noise has been suitably mitigated.*

*The scheme shall specify construction details for measures designed to protect the whole development. This shall include details of perimeter bunding, acoustic fencing and walls.*

*The scheme shall identify those individual properties that require noise mitigation measures (window specifications and ventilation) to the fabric of the buildings to achieve the required internal noise levels and those individual properties that require provision of acoustic fencing or walls on one or more of the boundaries to create the appropriate external noise environment for the amenity areas.*

*No residential property shall be occupied until the acoustic mitigation measures for the perimeter of the site to mitigate traffic and industrial noise to protect the whole development, as identified in the approved scheme, have been implemented”.*

3.11 A Noise Assessment Report has been produced by Wardell Armstrong which assesses the results of the noise survey submitted with the Outline Planning Application and makes recommendations for noise mitigation.

3.12 The results of the noise monitoring have been used in order to create a noise model for this site. The noise model has been used to predict the noise at proposed building facades during the day and at night as well as in garden areas during the day.



- 3.13 It has been identified that by using opening windows across the site this will achieve adequate levels of ventilation as well as maintaining guideline internal noise levels. It is considered that these methods of mitigation will address the requirements set within Condition 3.
- 3.14 Furthermore, all plots have outdoor living areas that meet the required  $50\text{dB}_{\text{Leq},16 \text{ hour}}$  and noise sensitive rooms will not be located where façade noise levels exceed 15dB.
- 3.15 It is considered that the proposed development can be considered acceptable in terms of noise.

### **Ecology**

- 3.16 With respect to ecology this submission seeks to address those requirements set within Condition 29 of the Section 73 permission, worded as follows:-

*“The submission of the Reserved Matters Application(s) relating to the layout and external appearance shall include a scheme for mitigation and enhancement works in relation to wildlife and biodiversity. The scheme shall include, gaping up the existing hedgerow network, retaining potential bat roost trees, buffering the beck with landscaping which would provide valuable habitat in the form of tussocky grass and scrub, including bat and bird boxes in the design of the building on site and creating nectar rich habitat for butterflies and other invertebrates around the site”.*

- 3.17 An Ecological Mitigation, Enhancement and Management Report and Plan has been prepared by FPCR and sets out detailed ecological mitigation, enhancement and management requirements at the site and is being submitted as part of this Reserved Matters application. The mitigation measures seek to address a number of notable species as referred to in the FPCR 2014 Ecological Appraisal. These being:-

- Bat species;
- Nesting birds;
- Otter;
- Water vole;
- White-clawed crayfish.

### **Bats**

- 3.18 It was identified that five trees on the application site had varying degrees of bat roost potential. Three of these formed TG5 and one was T7. These trees are to be retained as part of the development proposals and are to be buffered from the residential development by



using green space and additional structural planting. Any new proposed planting will not obstruct access to potential bat roost features or potential flight lines to or from potential roosting features.

- 3.19 The fifth tree (that being T3) is to be removed. However no evidence of bat roosting was found in the nocturnal surveys undertaken in 2014. Prior to removing this tree two further nocturnal surveys will be undertaken in the bat survey season.
- 3.20 It has been identified within the Ecological Report that some of the retained as well as newly created habitats within this proposed scheme will be of value to a range of nocturnal species sensitive to light. On this basis the creation of dark corridors and semi natural habitats along retained features is considered to be important in maintaining value for bats as sources of invertebrate prey and commuting and dispersal routes through the landscape. Lighting used within public realm is to include a range of measures to restrict light flow into the areas of most value, maintaining its value for light sensitive species.
- 3.21 The report also identifies the habitats of value to nocturnal species within the proposed design to include:-
- Tree groups;
  - Hedgerows;
  - Green infrastructure along East Beck; and
  - Locations of bat boxes.

#### Nesting Birds

- 3.22 With respect to nesting birds, any woody vegetation to be removed as part of the proposed scheme will be carried out outside of bird nesting season. Where this is not feasible all vegetation is to be checked for active nests. If active nests are found, a follow up site visit will be undertaken to check the nests.
- 3.23 Forming part of the scheme proposals a variety of bat and bird boxes will be installed on new buildings adjacent to retained and created open space and on retained trees. This will increase availability of roosting and nesting sites.

#### Otter, Water Vole and White-clawed Crayfish

- 3.24 The report identifies that consultation data with respect to the presence of otters within 1km of the site had been received as well as records of water vole and white clawed crayfish identified from internet searches further down East Beck catchment, which is associated with the River Derwent.



- 3.25 Mitigating works on the site are to involve a number of key precautions including site workers being made aware of the potential presence of otters, water vole and white-clawed crayfish within East Beck and pipes over 250mm to be capped overnight to prevent the otters entering.

#### Ecological Enhancement and Management

- 3.26 In terms of ecological enhancement and management on the site, the enhancement measures are to include the following:-

- Gapping up of the existing hedgerow network;
- Creation of nectar-rich habitat for butterflies and other invertebrates;
- Buffer planting along East Beck;
- Planting within/surrounding the attenuation facility;
- Provision of bat and bird boxes.

- 3.27 Further details with respect to the proposed ecological mitigation, enhancement and management are contained within the FPCR Report.

#### **Landscaping**

- 3.28 With respect to landscaping, a series of plans have been submitted which address both the proposals for hard and soft landscaping. The plans for soft landscaping provide information including the type of hedge planting proposed for this scheme as well as details of the wildflower and grassland meadow mix. The hard landscaping proposals include details of the planting proposals as well as proposed hard surfaces including concrete block paving, walls and fences.

- 3.29 A drawing illustrating the LEAP and LAP Play Area Landscape Proposals form part of the landscape plans pack. The landscape proposals for the play area include proposals for amenity grass seeding as well as details of the proposed fencing, self-closing gate as well as safety matting, play area signage and natural boulders.





## 4.0 CONCLUSIONS

- 4.1 This Reserved Matters Application seeks approval for the proposed residential development of 73 dwellings, provision of open space incorporating children's play areas, attenuation basin and landscaping, pumping station, highway improvements and associated works on Land off High Street, Sherburn, Malton, North Yorkshire. The matters being applied for with this submission are siting, scale, appearance and landscaping.
- 4.2 This application is being made following the approval of a Section 73 application to vary and remove a number of conditions pertaining to application 14/01207/MOUT. This application was approved on 21<sup>st</sup> March 2016.
- 4.3 The scheme proposals incorporate the provision of affordable housing which is at a policy compliant rate of 35%. The provision of these affordable dwellings is in line with the requirements of the Section 106 Agreement dated 28<sup>th</sup> October 2015.
- 4.4 Furthermore this submission also seeks to address matters concerning the provision of a detailed scheme of noise mitigation and a scheme for mitigation and enhancement works in relation to wildlife and biodiversity as required within Conditions 3 and 29 of the Section 73 planning permission. The Ecological Mitigation, Enhancement and Management Report identifies the various mitigation measures to be used to address a number of notable species, these being bats, nesting birds, otter, water vole and white clawed crayfish. The proposed mitigation measures include the provision of bat and bird boxes and the gapping up of the existing hedgerow network.
- 4.5 In terms of noise mitigation it has been identified within the Noise Assessment Report that internal noise levels can be achieved as well as the noise levels required for outdoor living areas. Noise sensitive rooms will not be located where façade noise levels exceed 15dB. It is therefore considered that this proposed development is acceptable in terms of noise.
- 4.6 The suite of plans and technical documentation forming this Reserved Matters submission are considered to comprehensively address the matters being applied for and provide all the necessary information required to make an informed decision on the submitted scheme proposals.