

P18-0718.004.PH

14 October 2019

FAO- Mr Gary Housden
Planning Department
Ryedale House
Old Malton Road
Malton
North Yorkshire
YO17 7HH

Dear Mr Housden,

Re: Reserved Matters Application for the erection of 40No. dwellings with associated works, to include matters of appearance, layout, scale and landscaping at Land to the south of Westgate Lane, Old Malton for Duchy Homes Ltd (19/00781/MREM)

Following the end of the consultation period for application 19/00781/MREM and subsequent meetings to discuss design issues. I have prepared the following responses and attach the following requested amended/additional information and plans, where such information has been requested by consultees:

North Yorkshire Police

The comments from Mark Roberts are welcomed, especially the comments at paragraph 3.6.2 of his consultation response. As a result of the comments further demarcation of the frontages to properties has been added, and every property will be fitted with SDO approved doors and windows as well as an intruder alarm system. It is therefore considered that the latest proposal would fully comply with SDO requirements, as set out by Mark Roberts.

Environment Agency

The comments from Tim Crawshaw are acknowledged, and the applicant is happy to comply with the terms of the suggested compliance planning condition, to ensure that the recommended flood risk mitigation measures stipulated in the submitted Flood Risk Assessment are built out in accordance with the submitted details. The no objection comments from the EA are welcomed.

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Pavilion Court | Green Lane | Garforth | Leeds | LS25 2AF

T 0113 287 8200 | www.pegasusgroup.co.uk | [@pegasusgroup](https://twitter.com/pegasusgroup)

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North Yorkshire County Council – Public Rights of Way Officer

The comments from the Public Rights of Way (PROW) Officer have been acknowledged. The proposed development works will not cause any obstruction to any existing right of way. The no objection comments from the PROW Officer are welcomed.

Yorkshire Water

The comments from Joe Summers of Yorkshire Water are welcomed. In regard to point 1 of the response, the applicant is content to comply with a planning condition which ensures that flood risk mitigation measures stated in the Flood Risk Assessment are implemented in accordance with the submitted details. It is noted that Yorkshire Water accept the findings of the Flood Risk Assessment submitted.

With regards to points 2 and 3 of the response, further information has been provided by Eastwood & Partners to address the matters raised on the public sewer and the drainage details, so that the drawing shows the location of the public sewer, which is off site, and that surface water will be stored at a maximum flow control rate of 5 litres per second, in accordance with the observations of Joe Summers.

Malton Town Council

In response to the comments made from the Malton Town Council, I would like to make the following points on behalf of the applicant, which I would kindly request that you include in your report to Planning Committee:

- It is a material consideration of this reserved matters application that the site already benefits from a 'live' reserved matters approval (16/1250/MREM) for 39 dwellings, which has been lawfully implemented and can be built out at any point in the future. The latest reserved matters application (19/00781/MREM) has sought to improve the layout of the dwellings. Two series of amendments have been made to address comments from Emma Woodland (Conservation Officer). At the Conservation Officer's request we have followed the 'tight knit' street pattern and character of Westgate in the northern half of the site, to ensure that the part of the site within the Old Malton Conservation Area and most visible from public space within the Conservation Area, will preserve the existing character and appearance of the Westgate street-scene. The southern half of the site has been kept more open and verdant with softer green frontages, to maintain a more open and verdant character to the southern half of the site. Breaking the site into two character areas, as identified by Emma Woodland, will mean that the design of the development will have a suitable mix and character of dwellings, and will not appear as a ubiquitous modern housing development, thus ensuring that the setting of the Conservation Area is preserved and enhanced from the former depot use of the site.

- The scheme includes an appropriate mix of dwelling types including 2 and 3 bed houses and 2 bed bungalows, which there is a recognised need for in the most recent Strategic Housing Market Assessment for Ryedale. Given the existing implemented permission, there will be new housing on this site at some point in the future, this application is not a new proposal, effectively it is seeking to amend an already approved scheme with one additional dwelling, an improved layout and improved house type designs.
- The proposed development also includes the provision of four affordable homes, and contracts are already in place with a Registered Provider for these affordable units. There is an identified need for more affordable housing in the evidence base of the recently adopted Ryedale Local Plan Sites Document (June 2019).
- The design has incorporated the existing single storey stone farm outbuildings, which will be carefully re-built in natural stone and clay pantile, with coursing details to match the existing pattern of coursing on each building to the Westgate frontage.
- The character of the proposed dwellings in this latest set of amendments would preserve and enhance the site area, which used to form part of a Council Highways Depot site. This would form a positive enhancement to the Old Malton Conservation Area. The materials have been selected to reflect the local character, and can be controlled by condition, to be agreed with the Planning Officer and the Conservation Officer, if necessary.
- There have been no objections from the North Yorkshire County Council Highways team on the impacts the scheme would have on the local highway network or car parking. The proposed layout plan shows that all proposed dwellings will have off-street car parking for a minimum of two spaces. This site is a committed housing allocation in the adopted Ryedale Local Plan Sites Document (June 2019). Highway impacts of building on this site have been deemed to be appropriate by the appointed Inspector, Caroline Mulloy, who recently examined the Local Plan Sites Document and approved the Local Plan Sites Document subject to minor modifications for adoption by Ryedale District Council.
- All comments received from the Vale of Pickering IDB, Yorkshire Water, North Yorkshire County Council Drainage Engineer, have been considered, and updated information has been provided by Eastwood & Partners. It should be considered that building the development will improve surface water drainage in Old Malton significantly. The drainage design for the site includes large oversized pipes for attenuation capacity and an attenuation basin in the open space area at the south of the site. The design of the surface water infrastructure has been designed to withstand a 1 in 100 year storm event and has added further capacity to take climate change into account. The site currently has no form of attenuation capacity, the design of the surface water will not increase the risk of flooding elsewhere. The drainage design for the site will help to improve attenuation capacity of surface water in Old Malton. This should be viewed as a significant public benefit in the planning balance.

North Yorkshire County Council – Lead Local Flood Authority

The comments from Seraya Simcoe have been acknowledged. The additional details on the surface water drainage design that were requested in the consultation response have been incorporated into the updated plans from Eastwood & Partners. The no objection consultation response from the Lead Local Flood Authority is welcomed.

The Vale of Pickering Internal Drainage Board (IDB)

The comments received from the Vale of Pickering IDB have been acknowledged. The further technical information requested by the IDB on the surface water drainage design has been provided by Eastwood and Partners. The no objections response from the IDB is welcomed.

North Yorkshire County Council - Highways

The comments from Steve Boyne have been considered by the applicant.

In response to the first point raised from Highways, the proposed site layout plan has been updated to include the requested traffic calming measures. This will ensure that the site access road will be used as a 20mph speed limit area.

The comments in point 2 have been acknowledged, and further information on the driveway materials and the surface water drainage to driveways has been provided by Eastwood and Partners. No private impermeable areas will be allowed to drain into the highway. Each driveway will have drain troughs in front of the garage and and/or the pavement edge, and all water falling on the drive ways will be captured by the proposed attenuation system, and will not be allowed to flow into the highway and on to Westgate Lane.

In response to point 3, landscaping details have been updated to plant more appropriate smaller species of hedgerows, which will be maintained at the appropriate height of 600mm. The amended landscaping details will not affect exit visibility splays from private driveways.

Conservation Officer

The Conservation Officer responded on 14th August, objecting to the initial design details for the proposed reserved matters application. The Conservation Officer listed their summarised the points of their concern as follows:

- Buildings are too high;
- Gable widths are too wide;

- Sensitive boundaries are over developed;
- Boundary treatments are too suburban;
- Tight knit street morphology in the northern part of the site lost
- Looser rural edge development on the south of the site has been compromised by overdevelopment;
- Materials palette is too varied;
- Two storey cross wings on rural edge should be deleted
- Chimneys on both gables
- Pyramid garage roof designs are too suburban
- Green verges should be used
- Houses on the east side of the tight street should be moved forward (remove frontage parking/create tight street);
- Additional planting on boundary with the Public Right of Way.

Following receipt of the Conservation Officer's comments dated 14th August 2019, a meeting was held on 21st August to address the design concerns raised. This resulted in amended plans being submitted in late August, which addressed the majority of the Conservation Officer's comments. The Conservation Officer made further comments on 4th September about the proposed size of gables, in relation to preserving the character and appearance of the Conservation Area. The latest amendments to the proposed plans have addressed these concerns, by proposing narrower gables in key focal point locations within the northern half of the site. The latest set of drawing were presented to Gary Housden on 11th October at a meeting, and the feedback received on the amendments was positive and that the changes had responded to the Conservation Officer's concerns.

The latest amendments (submitted 14th October 2019) have made the following notable changes:

- House types have been changed in the northern half of the site, which has been identified as the 'close-knit urban morphology' area. In this particular part of the site, the Conservation Officer has requested that the development will need to reflect the street-scene character of Westgate – with dwellings close to the street frontage, harder boundary treatments and long and low scale and massing, with smaller facing gables to reflect the character of existing historic properties on Westgate;
- The focal point gables to plots 39, 2 and 34 have been made very narrow, these gables will be the ones most exposed and visible from public space within the Old Malton Conservation Area.
- The vehicular access for plots 39 and 40 will now be taken from Westgate, rather than Westfold, as previous proposed. Three point arches have been incorporated into the frontage of plots 39 and 40 to maintain as continuous built frontage to the Westgate street-scene. The careful re-building of the outbuildings to form garages and the continuous length of plots 39 and 40 with a narrow gable to plot 39 will

create the 'long and low' character, which the Conservation Officer has referred to in their most recent response (4th September).

Public comments received

In total, five objections have been made to the application from local residents in Old Malton. The comments received have been acknowledged and considered by the applicant. The matters raised by third parties have been summarised as follows:

- The development proposals have increased from 28 to 35 to 40 dwellings.
- Traffic impacts of the proposed development during construction and post-construction. Maintaining access along Westgate Lane during construction.
- Flood risk and drainage impacts. The site can't cope with more houses. Is the proposed drainage design adequate?
- The surface water drainage design involves discharging attenuated water into a public sewer which cannot cope in heavy rainfall events, with surface water flooding occurring outside the Royal Oak pub in recent years.
- The design and appearance of the dwellings does not reflect local character in Old Malton.
- Concerns about public safety around the proposed attenuation basin at the southern end of the site.
- Concerns over the exit splay visibility at the junction between Westfold and Westgate Lane, if three plots will use Westfold as their access points.
- Former agricultural outbuilding not being put back to the same foot-print.
- Impacts on the character and appearance of the Old Malton Conservation Area with the loss of the open paddock space at the southern end of the site.
- Overlooking of existing residents adjoining the site.
- The location of the attenuation basin, not in the lowest part of the site (as existing).
- Boundary wall details and retention of some boundary features.
- Questioning if the proposed drainage design will work.
- Where will construction vehicles park, cannot park on Westgate Lane as this is already overcrowded.

In response to the third party public comments received, I would like to make the following points on behalf of the applicant:

- The implemented reserved matters permission from 2016 is for 39 houses. There is no planning history for 28 or 35 units.
- The site benefits from a current reserved matters approval for 39 dwellings, which has been lawfully started and could be built out at any point in the future.
- The Construction Environment Management Plan submitted to discharge a planning condition from the outline approval ensures that there will be ample parking space for construction workers and construction vehicles on site during the construction

phases. There will be no need to park on Westgate Lane during construction. Road cleaning measures will be put in place to keep Westgate Lane clean during the proposed construction works, in accordance with measure that will be agreed by condition through a Construction Environment Management Plan.

- The proposed surface water drainage system has been designed to take account of a 'worst case scenario' flood event and has included a significant buffer on top of that capacity to take account of climate change. Currently there is no attenuation on the site, which means some water will infiltrate into the ground, and work its way to lower areas, near the Royal Oak public house which has been prone to surface water flooding in the recent past. Attenuation of surface water will improve the drainage flood risk issues in Old Malton. Water will not be allowed to flow into the public sewer, when flow rates exceed a higher level in heavy rainfall events. The development will not increase the risk of flooding elsewhere, by attenuating surface water, only to be released to the public sewer when safe to do so, when flow rates in the sewer are at a manageable level. There have been no objections from the EA, Yorkshire Water, the IDB or North Yorkshire County Council, and all further information requested through the consultation period has been provided.
- The latest reserved matters scheme (as amended 14th October 2019) offers an improved layout, house type design and improved hard and soft landscaping details which reflect local character when compared to the already permitted reserved matters scheme. The applicant has worked with Ryedale District Council, including the Conservation Officer, to ensure that the design of the dwellings and the materials used will both preserve and enhance the character and appearance of the area.
- The attenuation basin will be fenced off with an estate railing fence to the boundary.
- The outbuilding currently affecting the visibility splay at the junction between Westfold and Westgate Lane will be demolished and carefully re-built in an amended location, set back from its current position to improve the highways visibility splay when existing Westfold onto Westgate Lane. This will improve local highway safety at this junction.
- The Planning Case Officer has not raised any concerns that the proposed development would result in loss of amenity by overlooking to adjacent existing residents. The location of the proposed housing has been sited as such to preserve private amenity.
- The scheme offers a range of boundary treatment details to preserve local character which have been agreed with the Planning Officer and Conservation Officer.

Further information attached for application 19/00781/MREM

Amended plans have been provided by the applicant (submitted 14th October 2019), to address the latest comments from the Conservation Officer (dated 4th September). A full drawing register with the latest drawing number references is also attached, to confirm which plans are now relevant to consideration of the reserved matters application. Any

plans on your file in relation to the dwellings and their layout which do not match the current register should be classed as superseded.

I would be grateful if you could carry out a re-consultation on the attached amended plans and report this application to your Planning Committee for the meeting scheduled on Tuesday 6th November 2019.

If you require any further information, or have any questions concerning the above matters raised, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Hopkins". The signature is written in a cursive style with a long, sweeping underline.

Peter Hopkins BA (Hons), MA, MRTPI, IHBC
Senior Planner
E-mail: peter.hopkins@pegasusgroup.co.uk