

**RYEDALE DISTRICT COUNCIL
PLANNING COMMITTEE**

SCHEDULE OF ITEMS TO BE DETERMINED BY THE COMMITTEE

Item Number: 6
Application No: 17/01449/MREM
Parish: Kirkbymoorside Town Council
Appn. Type: Approval of Reserved Matters Major
Applicant: Countryside Properties Ltd
Proposal: Erection of 225 dwellings comprising 35no. 4 bedroom, 119no. 3 bedroom, 51no. 2 bedroom dwellings and 20no. 1 bedroom apartments together with associated landscaping, public open space to include children's play area, highways improvements, a balancing pond and allocation of land for use of the existing primary school (Details to outline application 13/01314/MOUT refers).
Location: Land At Westfields New Road To Kirkdale Lane Kirkbymoorside North Yorkshire
Registration Date: 13 December 2017
8/13 Wk Expiry Date: 14 March 2018
Overall Expiry Date: 10 February 2020
Case Officer: Gary Housden **Ext:** 43307

CONSULTATIONS:

Archaeology Section	I presume that the outline conditions remain active and have no specific comments to make on the reserved matters themselves.
Designing Out Crime Officer (DOCO)	Recommendations
Public Rights Of Way	Informative and Final Comments Awaited
Parish Council	Concerns
NY Highways & Transportation	Comments and concerns
Vale Of Pickering Internal Drainage Boards	Acceptable subject to condition (drainage conditions on the outline planning permission)
Sustainable Places Team (Environment-Agency Yorkshire Area)	
Housing Services	Support - No further comment to make
Highways North Yorkshire	Final comments awaited
Kirkbymoorside Town Council	Comments and concerns (full comments attached)
Yorkshire Water Land Use Planning	Comments re live water main on site – advises an easement required or diversion
Neighbour responses:	Mrs Meryl Sands, Mrs Debbie Bayes, Mr David Pearson, Mrs Jean Ward, Mrs Lady Clarissa Collin, Christine Field, Mrs Angela Collier, Miss Sarah Ward, Mrs Louise Curtis, Mr Keith Steel, Mr Neville Jackson, Mr RUSS Grayson, Jean Hutchinson, Mrs Caroline gamble, Mr Jon Russell, Mrs Stacey Gamble, Mrs Jennifer Thompson, MJ Gray, Mr Edmund Simmonds, Mr William Shaw, Mrs Susan Snowden, R.H.F Dangar, Mrs J Benson, Miss C Saunders, Mr & Mrs F. A Youren, Robin Colley, Miss Claire Saunders, Heather Tweddle, Mr And Mrs H J And G Kent, Mr Martin Watts, Mr Trevor wood, Mr Barry Kneeshaw, William And Wendy Henderson, Mr Derek Hutchinson, Ryedale Cycle Forum

PLANNING COMMITTEE

18 February 2020

(Helen Gundry), Andrea Cooper, Abi Pollard, Ann Gray, Miss P Lavan, Mr Barry Brough, Mrs Julie Cass, J Seel, Lynn Robinson, Mr Brian Hewitt, Mrs Iris Brunton, Margaret Gamble, Nelly Trevelyan, Mr Andrew Brown, Mr Steven Peters, Mrs Ann Gray, Norther Ryedale Public Transport Group (Helen Gundry), Keith And Christine Wright, Mr Paddy Tipping, Mr J Cook, Mrs Liz Turnbull, Mrs Angela Richardson, Ms Nelly Trevelyan, Mrs Jaelithe Leigh-Brown, Mr Douglas McKittrick, Patricia Gafford, Juliet Hellewell,

SITE:

The application site is located on the western side of Kirkbymoorside to the north of the A170. The site is bounded to the east by established residential properties forming West Pasture, Beech Drive, Poplar Avenue and Westfields Rd. The Kirkbymoorside County Primary School abuts the south east corner of the site. The western and northern boundaries abut open countryside although a single detached dwelling known as Broad View is also located next to the sites western boundary. The site is located within the development limits of the town as defined in the recently adopted Sites Document and is shown as an existing residential commitment under Policy SD1.

The site comprised of four parcels of land with a Public Right of Way crossing the northern part of the site in a roughly east west direction. The land rises south to north from the A170.

PROPOSAL:

This application is for the approval of reserved matters for the erection of 225 dwellings. Outline planning permission was previously granted for the erection of up to 225 dwellings on the site and the principle of development is therefore established. As part of the outline planning permission which was granted on appeal the development makes provision for contributions to education, highways and affordable housing and two parcels of land are also shown to be transferred to the school to enable expansion to occur in the school premises. Affordable housing negotiated at outline stage makes provision for 79 units of affordable dwellings on site and this is required by the s106 agreement that accompanies the outline planning permission. Details of the affordable housing are dealt with later in this report.

Twenty five of the proposed dwellings are single storey properties dwelling types - Alwin (2beds) and Orwell (3beds). All of the plots that are located closest to the east boundary of the site (where the proposed dwellings would be nearest to existing dwellings in West Pasture, Beech Drive and Poplar Avenue) are proposed to be single storey units. In addition separation distances between the nearest existing dwellings and any proposed new dwellings varies between 30 and 35 metres.

Overall the development provides for 20 No. one bed units, 51 No. two bed units, 119 No. three bed units and 35 No. four bed units.

As shown on the illustrative masterplan submitted at outline stage the main point of vehicular access is obtained from the A170 to the south of the site with a reconfiguration of the road way which then leads onto the existing lay by in front of the primary school. An emergency vehicular access is also shown to the east of the school premises which connects to Westfields. Two play areas, a LEAP and a NEAP, are shown on the western side of the development along with other areas of open space and landscape planting belts.

The Public Right of Way is shown as being retained across the site although this is subject to minor diversion to follow footpaths that are proposed as part of the current reserved matters application. The application is accompanied by a Design and Access Statement although the application has been the subject of substantial revision during the negotiation process.

Copies of the submitted amended plans are appended for Members information, showing individual dwelling designs, some street scene elevations , the planning layout and landscaping details.

RELEVANT PLANNING HISTORY:

The site has been the subject of a number of planning applications since 2012 for residential development. However the key planning decision is Ref 13/01314/MOUT which was for the erection of up to 225 dwellings. This application allowed on appeal on December 2014 and it establishes the principle of residential development on the site for that quantum of development.

PLANNING POLICY:

Ryedale Plan Local Plan Strategy Adopted 2013

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy - Policy SP3 Affordable Housing

Local Plan Strategy - Policy SP4 Type and Mix of New Housing

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP14 Biodiversity

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP22 Planning Obligations, Developer Contributions and the Community

Ryedale Plan Sites Document – Adopted 2019

Policy SD1: Existing Residential Commitments

APPRAISAL:

As stated earlier in this report the principle of development has been established by the earlier grant of planning permission. The Council's development plan also identifies the site as being within the town's development limit and an existing residential commitment.

The main considerations in relation to this reserved matters proposal are considered to be the following detailed matters

Design, scale, housing mix and appearance of the proposed development taking account of the parameters set in the original outline permission.

The outline planning permission reserved all details for subsequent approval. In essence it was a 'red line' approval. However the planning permission granted on appeal was subject to 20 planning conditions. Condition No 5 required that the development shall be carried out substantially in accordance with the Design and Access Statement, the submitted illustrative masterplan and the landscaping of the northern and western site boundaries. Much of the easternmost parcel was shown as planted areas, public open space, the location for play areas with a small crescent of new dwelling towards the south western corner of the site. The remaining three parcels of land were shown as the location for the bulk of the approved housing with a limited number of road incursions into the existing field boundaries in order to minimise impact on the existing hedgerows. The latest set of amended plans show an approach which follows the thrust of the illustrative masterplan. It is also of note that the main access point into the site, the emergency access and extension land for the primary school remain exactly as shown on the original master plan.

Officers had expressed some concerns over the individual dwelling designs as originally submitted with this reserved matters application. However significant changes to the design approach have been made

and details of all of the individual designs and these are appended to this report for Members information. The current scheme includes no five bedroom dwellings, these had been the particular design of concern. As presented the proposals do however provide for a good mix of units in terms of numbers of bedrooms and a variety of internal floor spaces are proposed. Market housing ranges from 2 bed bungalows at 825 sq ft to 4 bed houses at 1262 sq ft. The scheme includes 25 single storey dwellings, which is around 11% of the overall total. This exceeds the Council's minimum requirement of 5% single storey dwellings on sites of 50+ units.

All of the units proposed are to be built from a pallet of materials that reflects the local vernacular, using a limited number of brick types, render and tiles with colour tones found in the locality. The layout provides for adequate levels of private amenity space for the future occupiers and the resulting street scenes are considered to present an attractive approach to this edge of the town. The proposal is therefore considered to be acceptable in relation to Policies SP16 and SP 20 of the adopted Local Plan Strategy

Affordable Housing

79 Affordable dwellings have been provided at a mix which has been agreed with the Council's Housing Manager, these including 20 No 1 bed apartments , 33 No. 2 bed dwellings , 22 No. 3 bed dwellings and 4 No. four bed dwellings. Sixty three of the units are for affordable rent and sixteen for shared ownership. The developer is understood to be working with a Registered Provider to take on board the affordable dwellings. Overall the housing mix and affordable housing provision are considered to satisfy Policies SP3 and SP4 of the adopted Local Plan Strategy.

Landscape impacts

The site is located on rising ground to the northern of the A170 on the western edge of the town. Approaching from the west the site is visible from the adjacent A road and also from the PROW which crossed the site. Although the original application was submitted in outline with all matters reserved much of the appeal debate centred on the potential landscape impact of the new development and its visual impact in relation to the form and character of the town when viewed from its western approach. Whilst the Inspector allowed the development to proceed it is clear from the conditions imposed that significant regard was paid to the intentions to heavily landscape the west and northern site boundaries to soften the impact of the new development. Detailed plans have been submitted by the developer of the planted and open space areas which are currently under consideration by the Council's Landscape advisor. Members will be updated on the advisors views of the submitted details the Late Pages or at the meeting. It is of note however that the Town Council has expressed some concerns that the submitted proposals for the planting and landscaping of these areas fall short of the level of screen woodland planting that was envisaged at outline stage. The Town Council has also expressed concern about the landscape specification for the site's eastern boundary.

Highways/access issues including impacts on the existing PROW

Highway and Access issues have been considered by Officers at NYCC Highways who do not raise any objections in principle to the access, layout and parking details shown on the reserved matters proposals. The developer has also submitted a separate discharge of conditions applications Ref 19/01425/COND for Condition number 19 of the outline planning permission.

The Highways Officer has made detailed comments relating to the main estate road specification, the number of car spaces proposed for Plots 103 and 104, forward vision splays, provision of traffic calming at certain points, location of some tree planting, upgrading of the emergency access, provision of an additional footpath adjacent to Plot 90 and provision of a turning head next to Plot 203. The developer has submitted an amended plan to address the Highway officers concerns and whilst this is expected to resolve the highway officers detailed points, their final response will be reported to Members on the Late Pages or at the Planning Committee meeting.

Impact on the amenities of adjacent occupiers.

The site is located next to the current built up area of the town. The rear gardens of dwellings in West Pasture Beech Drive and Polar Avenue abut the site's eastern boundary. Officers have sought to ensure that new dwellings on this part of the site do not impinge on the amenities of the occupiers of existing dwellings in this part of the site. The dwellings on Plots 29-35 , 56-60, 76-79 and 89-94 are all single storey, located at least 14 metres from the site boundary with separation distances between dwellings of at least 30 metres. Additional native shrub mix planting interspersed with native trees is also proposed along his boundary to provide additional screening without adversely overshadowing the adjacent curtilages. It is considered that the layout satisfactorily addresses amenity issues of adjacent occupiers and this aspect of Policy SP20 of the adopted local plan is satisfied

Other Matters arising from the outline planning permission.

The outline permission is accompanied by a number of conditions relating to technical detailed matters. These are also required to be discharged before development can commence on site. These conditions include detailed landscape plans, open space/ play equipment details, archaeology, traffic noise mitigation, Construction Method statement, foul and surface water drainage details, and biodiversity and Highways details. Current condition discharge applications have already been submitted separately in respect of conditions 8 and 19. Members will be updated in respect of the developer's intentions in relation to the other pre commencement conditions on the Late Pages or at the meeting.

Public Right of Way

The proposal to divert the path through the scheme is acceptable in terms of its route, subject to the route being accommodated within a properly defined footway. The plans have been amended to show this detail and the final comments from the PROW Officer are awaited. A diversion order will be required under S257 of the Town and Country Planning Act 1990.

Third Party Comments

Kirkbymoorside Town Council's comments are appended to this report in full for Members information.

Concerns have been raised in respect of the landscaping details proposed requesting that the eastern boundary be planted with taller trees, with a preference for broad leaf native species throughout the site. Officers are still considering the details submitted. However in respect of the eastern boundary officers are keen to strike a balance between screen involved the site and not overshadowing the rear gardens of neighbouring dwellings which are located close to that boundary.

In terms of Highways matters the Town Council has consistently expressed its concern about access onto the A170. This was an issue that was discussed at length at the public inquiry. The developer has confirmed that it is their intention to pursue a Traffic Regulation Order to extend the 40 mph zone to improve highway safety.

The Town Council has also expressed a view to take a proactive approach on climate change issues. Members will appreciate that this outline permission already exists and there are no specific conditions that can be added to the planning permission at this stage. The developer has however confirmed that their dwellings conform to all current Building Regulation and that because of their particular construction techniques involving pre formed timber frames that they currently reduce construction waste and energy consumption by around 10% over a conventional build.

Third parties

At the time of writing this report 21 local objections had been received in relation to this reserved matters application. A significant number of respondents have raised issues relating to the principle of the development. As explained earlier in this report the principle has already been established by the grant of the outline planning permission and the subsequent change in policy established by the recently adopted Sites Document. The Local Planning authority is not therefore in a position to object in principle to the development of this site for up to 225 dwellings.

The responses from third parties can be viewed in full on the Council's website. Issues raised include

Houses not needed /too many proposed

Concern over access onto A170/Needs a roundabout/Concern over pedestrian access/conflict with school

Concern over lack of facilities for cyclists

Lack of transport facilities

Concern of infrastructure capacity –sewers

Lack of energy saving /climate change concerns

Concern over landscape details proposed and its maintenance

Lack of local employment

Concern over housing mix/amount of affordable.

Protection of PROW needed

Lack of on-site facilities for new residents

Designs uninspiring

RECOMMENDATION:

Final recommendation to be reported following receipt of final comments from NYCC Highways and the Council's Landscape advisor