

OUTLINE PLANNING APPLICATION FOR THE PROVISION  
OF 5 NO. SELF BUILD PLOTS WITH ASSOCIATED ACCESS

LAND AT SUTTON GRANGE, LANGTON ROAD,  
NORTON

PLANNING STATEMENT

AUGUST 2020



Chartered Town Planning Consultants

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## INTRODUCTION

- 1.1 This Statement is provided in support of an outline planning application for the creation of 5 no. self-build housing plots on a small (0.7ha) horse paddock to the south of Sutton Grange, a 19<sup>th</sup> century villa set within generous grounds at the southern edge of Norton. The house lies on the northern side of a single-lane track, which connects to Langton Road approximately 120m to the east. The paddock lies on the southern side of this track, which will serve as a private drive to both Sutton Grange and the proposed housing plots.
- 1.2 The application seeks to establish the principle of development along with the proposed means of access. All other matters (layout, scale, appearance and landscaping) are reserved for a future reserved matters application although some illustrative material is provided in support of the outline proposals. This includes:
- Stone Associates Drawing PL20 06 Proposed Site Plan
  - Stone Associates Drawing PL40 01 Proposed Sectional Site Elevations
  - Stone Associates Drawing PL20 07 Proposed Landscape Plan
  - Design Intent
  - Assessment of Key Views
- 1.3 The purpose of the above drawings is to demonstrate that the site is capable of accommodating the level of development proposed and also, to establish some broad parameters / principles in order to assess the environmental impacts of the scheme. The following reports are included as part of the application and consider the impact of development on the local landscape, ecological, archaeological and drainage systems:
- Landscape and Visual Impact Assessment
  - Ecological Impact Assessment
  - Archaeology and Heritage Desk Based Assessment

- Outline Drainage Strategy

1.4 This Planning Statement provides a precis of the above reports. It also includes an assessment of the site and its surroundings and a description of the development. The planning policy context for the site is set out in Section 4, and Section 6 considers how the proposal responds to the key policy issues. The application has been compiled following pre-application discussions with officers at the Council, which first commenced in early 2017 and concluded in March 2020. Section 5 of the Statement explains the pre-application process.

## 2.0 THE SITE AND ITS SURROUNDINGS

2.1 The application site comprises 0.7ha of land on the southern edge of Norton. The paddock is roughly kite shaped – it extends out from the driveway at Sutton Grange, reaching a maximum width of around 75m a third of the way into the site. The boundaries then narrow to a point where they meet with Mill Beck at the southern tip of the paddock. The drive is included within the red edged site - at the moment, it is single lane access track, with matures trees on both sides and no passing places. The track terminates 80m to the east of the paddock at a gated entrance into Sutton Grange. Here, there is a wide vehicle crossover onto Langton Road due to the significant grass verge on the western side of the highway, which incorporates a footpath as well as a horse lane.

2.2 The paddock previously formed part of a much wider landholding, comprising the agricultural fields associated with Sutton Farm. However, the Grade II listed Sutton Barn, which lies beyond Sutton Grange to the north-west of the site, has now been converted into 5 homes with a further three properties in its grounds. To the east of the barn, planning permission has been obtained for the erection of 6 large detached properties as part of the Mill Beck Court development. To the south of Mill Beck court, the intervening field between the application site and Langton Road

is being developed by Keepmoat for 79 new homes. The release of this land for development has effectively pushed the settlement limits for Norton further to the south, meaning Sutton Grange and its associated paddock will soon be surrounded by housing on three sides.

- 2.3 To the west of the paddock, there is a dense woodland area with a watercourse (Mill Beck) running through the centre. The woodland and a small section of the Beck both fall within the ownership boundary of the applicant, as shown on the site location plan at Appendix 1. There is a post and rail fence along the northern boundary adjacent to the access road and a timber lapped fence to the developed area of the Keepmoat site (east). The general topography of the paddock falls towards the Beck, from 26.80 AOD at its most easterly point to 23.00 AOD at the southern tip.
- 2.4 The site lies within 1km of a range of local shops and services within Norton town centre. These include a Post Office, a Costcutter supermarket, a Doctor's surgery and leisure facilities at Derwent swimming baths. Additional shops and services are located within Malton town centre, including Malton train station, which lies within 1.5km of the application site. Hourly train services run from here to York, Leeds, Manchester and Scarborough. The nearest bus stop is at the Field View bus lay-by, 100m east of the application site. An hourly bus service runs between here and Norton and Malton.

### 3.0 PROPOSALS FOR DEVELOPMENT

- 3.1 The proposed development is for the creation of 5 no. self-build plots across the 0.7ha paddock, with the area to the north being retained for the occupiers of Sutton Grange. The illustrative layout is shown on the proposed site plan at Appendix 1.

- 3.2 The site plan is accompanied by Design Strategy in order to establish some design principles / development parameters in which future reserved matters applications are expected to comply. Although footprints of the individual dwellings are shown, these are not intended to be prescriptive and merely give a flavour for the size and style of development envisaged by the design guide.
- 3.3 At this stage, the only thing that is being 'fixed' by the outline application is the proposed means of access. The proposal is to utilise the existing private drive serving Sutton Grange, but to upgrade it in order to install a passing place roughly half-way (45m) along the driveway and to reconfigure the entrance. At the moment, the gateposts with electric gates sit tight up against the footpath along Langton Road. This means that vehicles entering the site need to stop on the vehicle crossover whilst waiting for the gates to open, thus blocking the footpath or the horse track. The provision of 5 additional dwellings will increase the use of the private drive and will exacerbate the issue. Therefore, it is proposed to widen the drive for a short length of it in order to create a holding area for vehicles entering the site. The existing gateposts and gate will be relocated further east, at the new private entrance to Sutton Grange, beyond the shared driveway. The entrance into the paddock will be at the point of the existing field gate. Here, a new spur of the drive will extend to the south and run along with eastern boundary of the site. Plot 1, which is shown at the rear of plot 2 will be served by a short branch to the main vehicular route. There will also be a turning head outside plots 4 and 5.
- 3.4 Along the western boundary of the site, within the slither of land between the new access road and the timber slatted fence of the neighbouring Keepmoat site, it is proposed to install a 5 to 10m landscape buffer in order to soften the impact of the development but also to create an attractive setting for the new houses. This buffer zone will also accommodate a small swale, to capture surface water run-off from the road. For the individual houses, surface water attenuation will be provided in the form of a narrow ditch along the western boundary of the plots. Both the roadside

swale and the ditch will run into Mill Beck at the southern tip of the site, where the outfall will be limited to 3.3 lps to reflect the current greenfield run off rate. Foul water from the plots will be pumped from a small pumping station positioned along the access road and will enter a gravity sewer at the point of connection with the existing private drive. From here, the new sewer will run the length of the drive and link up with the established sewer network in Langton Road.

- 3.5 The foul pumping station is subterranean, so to avoid any visual impact of the proposed infrastructure. It is sited within a shelter belt of new tree cover, which is intended to create a high-quality setting for the development and will also soften the impact of the proposed houses when viewed from surrounding vantage points. It is envisaged that this landscape buffer will incorporate a broad species to reflect the landscape character of the site's eastern boundary. The illustrative landscape plan specifies a range of Hawthorn, Cherry, Sycamore, Beech, Hazel and Maple trees to heights that will achieve a high impact at low density. A copy of the drawing is provided at Appendix 1.

#### 4.0 PLANNING CONTEXT

##### Planning History

- 4.1 There is no recent planning history to the application site itself although the surrounding area has been subject to a substantial amount of change over the last 10 years which has altered the planning context for this application. Specifically:
- In June 2008 planning permission and listed building consent was granted for the change of use and alteration of the Sutton Barn to form 4 dwellings (including the retention of an existing cottage in its west pavilion), the change of use of an adjacent joinery shop to form a dwelling house and the erection of 2 new build dwellings with associated garages and store

- In July 2016, outline planning permission was granted for the development of 6 no. dwellings on land east of Sutton Barn. This was as a result a successful appeal by Gladman Developments following the Council's decision to refuse the application
- As part of a concurrent appeal, Gladman Developments subsequently obtained outline planning permission to develop the land to the south of Sutton Grange for 79 new homes. Both sites were then sold to Keepmoat Homes, who have progressed the respective reserved matters applications and commenced development.

4.2 The impact of these developments has been to pull the settlement limits of Malton and Norton further to the south, leaving Sutton Grange as an undeveloped island of land that is surrounded by new housing. This change to the settlement limits was recently formalised through the adoption of the Ryedale Local Plan Sites Document in 2019. The planning policy context for the site is set out in further detail below.

#### **Planning Policy Context**

4.3 Determination of this application is to be made under Section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

4.4 The Development Plan for Ryedale comprises the Local Plan Strategy (2013) and the recently adopted Local Plan Sites Document (2018). The National Planning Policy Framework (2018) is a material consideration in the decision-making process, as are the range of documents that make up the evidence base for the Local Plan.

#### **Ryedale Local Plan Strategy (2013)**

4.5 The Local Plan Strategy for Ryedale sets out the spatial vision for the District and outlines the policy objectives for the delivery and distribution of housing



development over the next 15 years. Policy SP1 identifies Malton and Norton as the principal town within the District where the majority of new development and growth should be focused. It highlights a number of opportunities for growth, which include greenfield sites on the edges of the towns for low / medium density family housing and accommodation to address the needs of a local ageing population. Paragraph 4.16 (housing) acknowledges that although brownfield land will be prioritised, greenfield sites will be required. It states that there are limited opportunities that exist to provide new development within the current built up areas of the main towns in the District and those opportunities that do exist are constrained for a number of reasons.

4.6 Within the open countryside, Policy SP1 states that development will be restricted to that:

- which is necessary to support a sustainable, vibrant and healthy rural economy and communities, or
- which can be justified in order to secure significant improvements to the environment or conservation of significant heritage assets or
- which is justified through the Neighbourhood Planning process

4.7 Policy SP2 sets out the approach to the deliverability and distribution of new housing. It states that sufficient land will be allocated to provide for 200 homes per annum and the release of sites will be phased and managed in conjunction with other sources of supply to facilitate a continuous delivery of 200 homes per annum. Housing completions which exceed the planned annual build target by up to 25% (i.e. 50 units) will not be deducted from the overall number of homes to be provided across the plan period. In effect, this introduces a 'zone of tolerance' for house completions. It is designed as a positive, flexible and plan led approach which is responsive to delivery. The policy targets at least 50% of all new housing development to be provided in Malton and Norton with new build housing taking place within

development limits and on small, medium and large extension sites around the towns.

Due to the constraints associated with brownfield sites within development limits, the supporting text to the policy recognises that the vast majority of land needed to accommodate the planned rate of housing will come from greenfield sites on the edges of the main settlements and this will involve some harm to landscape and biodiversity.

- 4.8 Policy SP4 advises on the type and mix of new housing that will be required to retain a balanced housing stock and provide choice in the housing market.
- 4.9 Policies SP12 and SP16 relate to Heritage and Design. SP12 explains that distinctive elements of Ryedale's historic past will be conserved and, where appropriate, enhanced. It seeks to ensure the sensitive expansion, growth and land use change in and around the Market Towns and villages, safeguarding elements of the historic character and value within their built-up areas, including Visually Important Undeveloped Areas, as well as surrounding historic landscape character and setting of individual settlements. In considering and negotiating development proposals, the policy seeks to protect other features of local historic value and interest throughout Ryedale having regard to the scale of any harm or loss and the significance of the heritage asset.
- 4.10 In considering the design of specific sites, SP16 explains that development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which reinforce local distinctiveness. This means that the location, siting, form, layout, scale and detailed design of new development should respect the context provided by its surroundings including:
- Topography and landform that shape the form and structure of settlements in the landscape
  - The structure of towns and villages formed by street patterns, routes, public spaces, rivers and becks.

- The grain of the settlements, influenced by street blocks, plot sizes, the orientation of buildings, boundaries, spaces between buildings and the density, size and scale of buildings
- The character and appearance of open space and green spaces including existing Visually Important Undeveloped Areas (VIUAs) or further VIUAs which may be designated in the Local Plan Sites Document or in a Neighbourhood Plan. Development proposals on land designated as a VIUA will only be permitted where the benefits of the development proposed significantly outweigh the loss or damage to the character of the settlement
- Views, vistas and skylines that are provided and framed by the above and/or influenced by the position of key historic or landmark buildings and structures
- The type, texture and colour of materials, quality and type of building techniques and elements of architectural detail

#### **Ryedale Local Plan Sites Document**

4.11 The Local Plan Strategy provides a strategic planning policy framework for the development and growth of different settlements within the district and against this background, the Sites Document has been produced to comply with and to deliver the strategy. In relation to the application site, the most significant changes from the 2002 Local Plan are:

- The Keepmoat site to the north and south east of Sutton Grange has been identified as a housing commitment, effectively extending the settlement limits of Malton and Norton to the north and south east of Sutton Grange
- The land between Welham Road and Langton Road, including the paddock and woodland area at Sutton Grange has been designated a Visually Important Undeveloped Area

4.12 The previous Local Plan for Ryedale defined 'Visually Important Undeveloped Areas' (VIUA's) as a policy designation to protect specific open sites in or on the edge of settlements. Sites are identified as VIUA's for one or more of the following reasons:

- a site makes a significant contribution to the character or setting of the settlement;
- a site provides an attractive setting for buildings within a settlement and/or;
- a site makes an important contribution to the historical form and layout of a settlement.

4.13 The preparation of the Sites Document provided the opportunity to identify further VIUA sites in the context of the current strategy of the plan, which places greater emphasis on the expansion of the market towns than previous development plans for Ryedale. The land between Welham Road and Langton Road was identified as a potential VIUA in earlier draft versions of the Site Document, on the basis that:

*"This collection of fields allows the ability of both Malton and Norton to be viewed. They provide a buffer between the built edge of Norton, with an aligned use of horse grazing with the Listed 'Whitewall' and Whitewall Cottages. The field patterns are more diverse than those which surround the rest of Norton, and the fields afford views of Norton and Malton, and the important area of Mill Beck"*

4.14 However, the consultation divided the VIUA into two parts. The first part is the land to the south of Mill Beck extending along to Welham Road to the west. The second part of the designation, which includes the subject site and the land granted planning permission under approvals 15/00098/MOUT and 15/00099/MOUT was only to be implemented should the planning permissions expire. Now that they have been implemented, this land should not have been included within the designation.

### **National Planning Policy Framework**

- 4.15 The National Planning Policy Framework (February 2019) is a material consideration in determining planning applications; it sets out the Government's planning policies for England and outlines how they are expected to be applied.
- 4.16 Paragraph 7 advises that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to be sustainable, development must perform an economic, social and environmental role. The first element includes contributing to a strong economy and ensuring sufficient land of the right type in the right places to support growth. The second includes supporting strong, vibrant and healthy communities and creating a high-quality built environment with access to local services. The third includes protecting and enhancing the natural and historic environment.
- 4.17 Section 5 of the NPPF sets out the policies for delivering a sufficient supply of homes. To support the Government's objective of significantly boosting supply, it highlights the importance that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.18 Within this context, paragraph 61 explains that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and **people wishing to commission or build their own homes (my emphasis)**).

### **Self Build and Custom Housebuilding Act 2015 (As amended)**

- 4.19 Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots

in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand.

- 4.20 The 2016 Housing and Planning Act sets out the legal definition of self-build or custom housing as the building or completion by (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person
- 4.21 A serviced plot of land is a plot of land that either has access to a public highway and has connections for electricity, water and waste water, or, in the opinion of a relevant authority, can be provided with access to those things within the duration of a development permission granted in relation to that land.
- 4.22 Access to a public highway can include sections of private or unadopted road, it does not mean that the plot has to be immediately adjacent to the public highway just that there is the guaranteed right of access to the public highway.
- 4.23 Connections for electricity, water and waste water means that the services must either be provided to the boundary of the plot so that connections can be made as appropriate during construction or adequate alternative arrangements must be possible such as the use of a cesspit rather than mains drainage.

#### **Strategic Housing Market Assessment (2016) for Ryedale**

- 4.24 In 2016, a SHMA for Ryedale was carried out by the property consultants GL Hearn. It forms part of the evidence base for the Local Plan. The primary purpose of the SHMA was to develop a robust understanding of housing market dynamics, to provide an assessment of future needs for both market and affordable housing and the housing needs of different groups within the population.

4.25 Section 8 of the document seeks to investigate the contribution that self-build housing makes toward the local supply chain. It explains that the Government aspires to make self-build a 'mainstream housing option' by making funding available to support self-builders and by asking local authorities to champion the sector. At the time of the survey, GL Hearn reported that within Ryedale local authority area, 154 people had registered their details on the Custom Build register and there were 60 active members on their Plotsearch register. Through consultation with local developers and agents, GL Hearn also found anecdotal evidence of significant potential demand for custom building. There is evidence of the lack of supply of plots coming to the market although agents believe that many plots are sold privately. There was little awareness amongst sales agents of the government's policy initiative in this area.

#### 5.0 PRE-APPLICATION DISCUSSIONS

5.1 Over the course of the last three years, a series of pre-application discussions have been held with officers at the Council over the proposals to develop the paddock at Sutton Grange for housing.

5.2 In 2017 (17/00082/PREAPP), officers commented that they were likely to be supportive of the site's development on the basis that:

- The planning permissions obtained by Gladmans, once implemented, will urbanise the surrounding landscape to a large degree.
- The development would not cause harm to the significance of Sutton Barn
- The impact of development on the significance of Sutton Grange would be similar to that of the Keepmoat site to the west in that the grand effect of its approach through open fields would largely be lost, reducing the contribution of that the house's open setting makes to its significance as a prestigious country residence. However, the level of harm would be at the

lower end of less than substantial and no greater than has already been caused by the Keepmoat development

- Any development, through appropriate scale and layout, respects the views of Sutton Barn and Sutton Grange that are to be created from open spaces within the Keepmoat development

5.3 A follow up meeting was held in May 2019 but by this time the Council was in the later stages of adopting its Local Plan Sites document. In this context, the advice from officers was that the development of the site would represent a departure from the Local Plan and any case would therefore rely on being able to demonstrate material considerations that tip the planning balance in favour of development. One of the examples given was to deliver a form of housing that is targeted at a currently unmet demand. For instance, the provision of older persons housing, zero-carbon homes, self-build plots or high-quality housing of a bespoke design.

5.4 Further discussions took place towards the back end of 2019 and in early 2020 around the concept of developing the site for one (or more) of these housing types. A site visit was held with officers, after which the advice was:

- To bolster up the landscaping/screening of the paddock in order to provide a strong visual separation between it and the Keepmoat site to the west
- to leave an undeveloped area towards the northern end of the paddock, which is very much part of the setting of both Sutton Grange and the Grade II Listed Sutton Barn
- any distant views of the site from higher ground on Scott's Hill and the public footpath were very limited – it could only be seen from a couple of vantage points even at this time of the year when existing vegetation is not in leaf

5.5 In addition, a separate site meeting was held with highways officers at NYCC to discuss the level of improvement that would be required to the existing track in order to facilitate development of the paddock. Here, it was agreed that a maximum



of 6 properties could be accessed from this private drive as any more would require the vehicular route to meet adoptable standards. Provided that the development was kept under 5 units (with Sutton Grange being unit no. 6), the only improvements that would be required would be to install a passing place along the route. It was also suggested that moving the gated entrance back from the Langton Road frontage would be beneficial as it would allow a vehicle to pull off the main road in a holding area if another vehicle was exiting.

## 6.0 APPRAISAL

### *Principle of Development*

- 6.1 The application site lies outside of the settlement limits for Malton and Norton as defined on the Proposals Map, which accompanies the Local Plan Sites Document. It falls within the open countryside, where development is restricted in accordance with Policy SP1 of the Local Plan Strategy. In addition, the site was recently designated as part of the Visually Important Undeveloped Area between Langton Road and Welham Road. Here, development will only be permitted where the benefits of the scheme significantly outweigh the loss or damage to the character of the settlement.
- 6.2 In this context, the development of the site for housing is contrary to some of the key policies of the Local Plan. The case for development therefore becomes heavily reliant on being able to demonstrate that there are sufficient material considerations to weigh in favour of the proposal, when carrying out an assessment as part of the overall 'planning balance'.
- 6.3 In Sections 4 and 5 of this statement, we have already highlighted some of the material considerations that should be taken into account in justifying a departure from the policies of the development plan and these have also been discussed with

officers during the course of a lengthy pre-application process in the lead up to the submission. They include:

1. **The pattern of recent development** – the development of land to the north and south east of the application site, originally granted under outline planning permissions 15/00098/MOUT and 15/00099/MOUT and subsequently followed by the approval of reserved matters has effectively shifted the settlement limits of Malton and Norton further to the south along Langton Road. The development of these sites by Keepmoat Homes has left the paddock at Sutton Grange as an island of open space in an otherwise built up area to the east of Mill Beck 15/00098/MOUT and 15/00099/MOUT and its associated woodland. The woodland provides a more natural boundary to the town's newly established development limits. The role that the site once played as part of a wider area of open space on the southern approach into Norton has now been compromised. This was acknowledged by officers in their pre-application response of 17 March 2017, which notes that *"The recent planning applications 15/00098/MOUT and 15/00099/MOUT are a significant material consideration when considering your proposal. This is because these two sites surround your land on the northern, eastern and southern boundary. Therefore the landscape character of the surrounding area has already been urbanised to a large degree, if the approvals are implemented"*.
2. **The weight to be afforded to the Visually Important Undeveloped Area designation** - Whereas the paddock forms part of the VIUA, which runs between Langton Road and Welham Road, it is not considered to make a significant contribution to the character of the settlement or its setting. Justification for the VIUA designation explains that the collection of fields in this area afford views of Malton and Norton from the south and provide a buffer between the built edge of Norton and the aligned use of horse grazing. However, it correctly points to the *"land south of Mill Beck, and the beck, with*

*the trees providing a significant end-stop to the settlement.”* The application site lies beyond the tree line. As already explained within paragraphs 5.11 and 5.12, it was only included as a ‘second part’ of the VIUA designation, should the planning permission for development of the Keepmoat site expire. This approach was based on the logic that should the land be developed in line with the approval, both this site and the paddock would no longer have a role to play as a VIUA with the woodland around the Beck being the important visual feature in marking the edge of the settlement. Whereas the designation is now in place, the weight that can be assigned to it (and therefore the need to demonstrate significant benefits) is considered to be substantially diluted in relation to the paddock.

- 3. The proposal to provide plots for custom / self build housing** – The need to provide sufficient amounts of land to cater for groups with specific housing requirements is a common theme running through planning policies at the local and national level. The NPPF explains the need for planning policies to cater for people wishing to commission or build their own homes. Whereas the Local Plan Strategy does not include a specific policy on this form of development, it does aspire to deliver choice and variety in the housing market. Furthermore, in accordance with the Self Build and Custom Housebuilding Act 2015 (As amended), the Council maintains a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. Evidence contained within the SHMA 2016 shows that the demand for self-build plots in Ryedale significantly outstrips supply and to our knowledge, the Council are not in a position to give enough suitable development permissions to meet the identified demand as this relies on a willing landowner / developer. The land at Sutton Grange paddock offers the opportunity to contribute towards the provision of self-build plots within the District, helping the Council to fulfil its duty under Section 2A of the Act.

In fact, the limitation of the private drive (meaning only 5 units can be accessed) and the desire of the owner to promote only low-density housing to reduce the impact on the main residence actually lends itself to this form of development.

6.4 So, whereas the proposed development of this site would not comply with certain criteria of policies SP1 and SP16 relating to development within the open countryside and the VIUA, it is clear that there are material considerations to be taken into account which could justify a departure from these policies. The most significant one, in our view, is the delivery of self-build plots in order to meet an established housing need in the District and officers have been supportive of this approach.

6.5 Notwithstanding the above commentary on the principle of the development, in order for the scheme to be considered 'in the round' it is also necessary to look at the potential impacts. The outline application is supported by a series of technical reports, comprising a Desk Based Archaeological Assessment, a Phase 1 Ecological Survey, a Flood Risk Assessment and Drainage Strategy, a Landscape and Visual Impact Appraisal and a Design Strategy. A precis of each of these reports, within the context of the policies of the plan, is provided below.

*Heritage, Design and Visual Impact*

6.6 Amongst the headline messages of policy SP16 is the expectation to create high quality durable places that are well integrated with their surroundings. The detailed criteria of policy also set out the need to respect views that are provided by historic buildings and structures, respond to the topography of the landscape and to reinforce local distinctiveness.

6.7 There are two heritage assets within fairly close proximity of the subject site – Sutton Barn, which is Grade II Listed and the applicant's property at Sutton Grange, which is a non-designated asset of only local importance. The recent planning history of the surrounding area means that the significance of these heritage assets and factors which contribute to their significance has already been carefully assessed by officers at the Council, as well as the Inspector for the 2015 Public Enquiry (15/00098/MOUT and 15/00099/MOUT). Here, it was determined that:

- The heritage significance of the barn could be experienced in two ways – 1) from private property at close range and 2) from views of the impressive impact of its large scale and dominance
- The views of Sutton Barn from Langton Road do not tell one much, if anything, about the barn's significance
- The heritage significance of Sutton Grange could be experienced in two ways 1) Through close scrutiny of the fabric of the house and 2) by its contribution in the landscape as a cottage ornee gained from long distance views

6.8 In weighing up the identified harm of applications 15/00098/MOUT and 15/00099/MOUT with the potential heritage benefits, the Inspector considered it necessary to provide areas of public open space within the appeal sites which enabled the nearby heritage assets to be viewed at close quarters. He stated that:

*"The loss of longer distance views of the house would not in any way affect the appreciation of its heritage significance as a much altered country house, which can only be understood by a forensic examination of its fabric at close quarters, principally from within the grounds of the house itself. Furthermore.....the development of appeal site B would allow longer distance views to be replaced by a closer public appreciation of the heritage asset. The scale of any harm to this aspect of its significance is therefore minimal."*

6.9 On appeal site B, which is now under construction, the optimal view of Sutton Grange is at the rear of dwellings 73 – 79 on the land directly adjacent to the

paddock. In developing the outline proposals, the retention of these views has therefore been one of most important design parameters. It is the reason that the northern part of the site is being retained as a small paddock for use by the owners of Sutton Grange. By keeping this area free from development, the view towards Sutton Grange from the adjacent Keepmoat site is retained and this is demonstrated on the assessment of key views at Appendix 3. Furthermore, the retention of the paddock will provide some 'breathing space' for the existing house, enabling the grand approach along its driveway and the open setting of the property to be retained. Whereas the proposals will bring development closer to the house, the plots are located in the lower part of the site, will be restricted to 2 storeys in height and are set against a backdrop of established woodland. The design strategy at Appendix 2 provides a framework to which future reserved matters applications will be expected to adhere. The fundamental aim of the strategy is for the five plots to accommodate houses of high architectural merit, which take a steer from the architectural features and building materials of Sutton Grange. This includes:

- The creation of interesting roofscapes where the roof pitches are of a similar design and angle to Sutton Grange with intersecting roof lines being subservient to the main ridge line.
- The use of overdrawn eaves and verge details.
- The provision of traditional chimney stacks, whether function or non-function.
- Windows to be of traditional proportions to complement Sutton Grange.
- The use of traditional building materials such as stone and brick for the external walls and slate roofs
- The new houses to be built to lifetime home standards

6.10 The approach follows the advice provided by the District's conservation officer at the pre-application stage on how to mitigate any additional harm to Sutton Grange,

beyond that which has already been caused through the development of appeal site B.

- 6.11 Turning to the long-distance views, the Inspector for the 2015 Inquiry pointed out that “Despite the low-lying position of the house, its ornate bargeboards, prominent gables, and chimneys mean that it is now experienced as a “cottage ornde” forming a picturesque element in an open landscape seen in views from Langton Road”. He accepted that the development of appeal site B would considerably reduce the contribution which the open setting of the house makes to its modern-day significance as a prestigious country residence and this would be contrary to policy SP12 of the Local Plan Strategy (the policy seeks to safeguard elements of the historic character and value within the Districts built-up areas, including Visually Important Undeveloped Areas, as well as surrounding historic landscape character and setting of individual settlements). Nevertheless, the matter was not considered to be of great consequence, having regard to the scale of the harm (less than significant) and the significance of the heritage asset (less than statutory). Now that the scheme has been substantially built out, it is clear that views towards Sutton Grange from Langton Road have already been obscured and therefore, the proposal for 5 additional houses on the paddock is not considered to result in any greater degree of harm. This opinion was shared by the Council’s conservation officer during pre-application discussions on the development. Here, it was also agreed that based on the Inspectors analysis of the Sutton Barn (i.e. that views from Langton Road are not considered to be significant), the proposal would not cause harm to the significance of that asset.
- 6.12 From further afield, the views that are available from Scotts Hill and surrounding vantage points have also been considered as part of the visual impact assessment (Appendix 4). The photographs demonstrate that:

- The presence of existing vegetation cover along Langton Road (hedge boundary and intermittent trees) limits views of the application site anyway but as the developments on either side of the Sutton Grange access track are built out, these views will be filtered further and almost eliminated all together once the proposed shelter belt of trees has become established.
- The impact of the developed part of the Keepmoat site becomes clearer in views back towards the application site from the southern end of Langton Road, which will be heavily filtered with only glimpse views available
- From the higher vantage point of Scotts Hill, intervening tree cover means that there are limited opportunities to see either Sutton Barn or Sutton Grange and even when not in leaf, the harsh roofscape of the Keepmoat development (on appeal site B) is the dominant feature in the landscape. It withdraws from any contribution that the open fields at Sutton Farm (east of Mill Beck) once made to the setting of the town and in this context, the proposed development is not considered to have any greater impact. The use of duller tones, slate roofs for example, will ensure that the proposed houses blend more easily into the landscape.
- The views from Whitewall and Welham Road to the south and west of the site will be effectively screened by the mature planting along Mill Beck, ensuring that the development will have no visual impact from these vantage points. This is also the case when travelling along the existing track which runs almost in a straight line from the southern edge of Sutton Barn and intersects with Whitewall / Scotts Hill 500m further south.

6.13 In this context of the above assessment, the proposed development is considered to conform to the criteria of Local Plan policies SP12 and SP16 relating to heritage, design and visual impact



### *Archaeology*

- 6.14 To support the application, an Archaeological Desk Based Assessment was undertaken by MAP Archaeology and is included at Appendix 6. The practice has already carried out extensive field investigations in the vicinity of the site due to their involvement in the Keepmoat developments to the north and east. They therefore have a good understanding of the Designated and Non-Designated Heritage assets, previous archaeological finds, historical references and cartographic information. Given the wealth of archaeological finds, features and deposits recorded in the vicinity of the paddock, the archaeological potential of the site is considered to be high and of local to regional importance. The desk-based report suggests that it is likely for features to be encountered from the Romano-British period, the medieval period and possibly earlier. The recommendation is for an archaeological strip, map and record, which is to be focussed on the main areas of disturbance in order to mitigate the impact of development.

### *Highways*

The access arrangements for the site have been developed in liaison with officers at NYCC as part of a formal pre-application process. The advice from officers is set out in paragraph 6.5 – it was to limit the number of units on the proposed paddock to a maximum of 5, otherwise, the existing driveway serving Sutton Grange would need to be upgraded to adoptable standards. The proposed development is consistent with this advice. A new spur will be added to the existing private drive in order to serve the proposed housing plots, meaning it will provide access to six dwellings in total. In order to facilitate two-way movements along the route, a passing place will be added on the southern side approximately half way along. Where the drive meets Langton Road, the electric gates and stone gateposts will be removed and the entrance will be widened to a double car-width, enabling vehicles to pull off the public highway and rest in a holding area if they encounter another car travelling

along the route. The gateposts, which are a modern replacement, will be relocated to the new entrance to Sutton Grange.

*Ecological Issues*

6.15 An Ecological Assessment of the application site and its surroundings, including Mill Beck and the adjacent woodland was undertaken by MAB Ecology. A copy of the report is provided at Appendix 5. It identifies that the land within the red line boundary as an area of improved grassland. There is no evidence of invertebrates on the site and the likelihood of great crested newts and reptiles utilising the site were both considered to be negligible. The majority of ecological potential exists beyond the site boundaries, within the adjacent woodland and Mill Beck.

6.16 Here, the trees are likely to support a range of breeding and foraging birds and some include features that are suitable for bat roosting as well as providing good quality foraging habitat. There may also be some movement across the site by badgers utilising nearby woodland areas although there are no recorded setts within a 2km area. The Beck itself is considered to provide a suitable habitat for otters and watervole although no signs were detected during the walkover survey. The watercourse lies downstream from the River Derwent, a designated SAC and SSSI so works that impact on the Beck also carry the potential to affect these designated sites. Furthermore, the presence of Himalayan Balsam along the banks of the watercourse means that measures are required to avoid the spread of this invasive species. An appropriate mitigation strategy has therefore been put forward, which focuses on limiting the impact of development on the ecological habitat along the western boundary of the site. This includes:

- Avoiding any direct lighting of the western and southern boundaries
- Assessing any trees or hedgerows to be removed for the presence of breeding birds or roosting bats

- Maintaining a 5m buffer strip along Mill Beck to ensure no impact on aquatic or riparian fauna.
- The provision of integral bird and bat boxes on either buildings or trees
- New tree and shrub planting using native species.

6.17 The above steps will ensure a net biodiversity gain from the development, satisfying Paragraphs 170 and 175 of the NPPF and LPS Policy SP14.

#### *Drainage*

6.18 The application site is under 1 hectare in size and falls within flood zone 1 (low risk). In accordance with the criteria of the NPPF, a Flood Risk Assessment is not therefore required to support the application although a Drainage Assessment has been prepared by EWE Associates and is included at Appendix 7. The study confirms that the bank of the watercourse to the west of the site (Mill Beck) is at a high enough level (22m AOD) that the site itself is not at risk of flooding in the 1 in 100 year plus 50% climate change (21.3m AOD) and 1 in 1000 year (21.5m AOD) flooding scenarios. Surface water from the development is to be discharged into Mill Beck at the existing run-off rate of 3.3 lps. This is achieved by creating a network of swales, which run along the proposed access road and at the rear (western) boundary of the new housing plots to attenuate the flows. A broad calculation for the level of required water storage is included within the drainage assessment although this will need to be repeated at the detailed design stage. Percolation testing could also be conducted although the soil profiles and the information from surrounding sites indicates that infiltration drainage is not a practical solution for this site and hence, the strategy is based on discharge to watercourse.

6.19 In terms of foul drainage, the proposal is to connect the site into the existing combined sewer in Langton Road. Due to the land levels, foul drainage will need to be pumped from a private pumping station within the confines of the site. This will lead into a new gravity sewer, which is to be installed along the route of the existing

private drive, before connecting into the established sewer network. The drainage strategy, whilst illustrative at this stage, sets the principles for providing serviceable housing plots.

## 7.0 CONCLUSION

7.1 This outline planning application is for the creation of 5 no. 'self build' housing plots on the southern paddock at Sutton Grange. The site lies within the open countryside, where new development is generally restricted in accordance with the policies of the Local Plan Strategy for Ryedale. However, this statement has shown that there are sufficient material considerations to justify a departure from the policies of the plan in this case when the proposal is considered 'in the round'. Specifically:

- The provision of serviced self-build plots, to accommodate homes that will be built to the 'lifetime homes' standard will satisfy an un-met demand for this type of housing within the District, helping the Council to meet the requirements of its self-build register
- The site is surrounded by development on 3 sides. The role it once played in providing an open setting for the built-up area of Malton and Norton has already been compromised. The layout of the site has been arranged to retain the open setting of Sutton Grange and preserve the close-up views of the house and Sutton Barn from nearby public open space, as sought by the Planning Inspector in his assessment of applications 15/00098/MOUT and 15/00099/MOUT
- Whereas the site falls within a VIUA, it is considered that this designation should only apply to the woodland area to the west of the site and the fields beyond. This was the basis on which consultation was carried out on the Local Plan Sites Document. The woodland represents a natural boundary to the development limits of the town.

- 7.2 Overall, it is considered that the application will facilitate a development of high architectural quality, which truly embodies the concept of 'placemaking' on this unique site at the edge of Norton. There are no environmental constraints that cannot be suitably mitigated. The proposal has been supported by both planning and conservation officers at the Council and highways officers at NYCC during the course of the pre-application process and for these reasons, we respectfully request that outline planning permission is granted for the development.

# Appendix 1

Planning Application Drawings

UPLOADED AS SEPARATE ATTACHMENT

## Appendix 2

Design Strategy



UPLOADED AS SEPARATE ATTACHMENT

## Appendix 3

Analysis of Key Views

UPLOADED AS SEPARATE ATTACHMENT

## Appendix 4

Visual Impact Assessment

UPLOADED AS SEPARATE ATTACHMENT

# Appendix 5

Ecological Impact Assessment

UPLOADED AS SEPARATE ATTACHMENT

## Appendix 6

Archaeological Assessment



UPLOADED AS SEPARATE ATTACHMENT

## Appendix 7

Outline Drainage Strategy

UPLOADED AS SEPARATE ATTACHMENT