

Item Number: 8
Application No: 21/01530/MFUL
Parish: Amotherby Parish Council
Appn. Type: Full Application Major
Applicant: Yorkshire Housing
Proposal: Erection of 58no. dwellings comprising 22no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including public open space, landscaping, kiss and drop facility and associated infrastructure (total site area 2.68ha)
Location: Land At OS Field 8052 Meadowfield Amotherby Malton North Yorkshire

Registration Date: 16 November 2021
8/13 Wk Expiry Date: 15 February 2022
Overall Expiry Date: 19 December 2022
Case Officer: Jill Thompson **Ext:** Ext 43327

CONSULTATIONS:

Designing Out Crime Officer (DOCO)	Comments
Lead Local Flood Authority	
Flood Risk	Recommendations
Public Rights Of Way	Comments
Archaeology Section	Recommends conditions
NYCC Natural Services	Recommends Conditions
Housing Services	Comments
Economic Development	
Environmental Health	
Highways North Yorkshire	Comments
Tree & Landscape Officer	
Housing Services	
Sustainable Places Team (Environment-Agency Yorkshire Area)	
Lead Local Flood Authority	
Yorkshire Water Land Use Planning	Comments
NYCC Natural Services	Further comments
NYCC Natural Services	comments
North Yorkshire Education Authority	Comments
Highways North Yorkshire	Recommends Conditions
Highways North Yorkshire	Recommends Conditions
Ellie Hook AONB Manager	Comments
Ellie Hook AONB Manager	my response of 20 December 2021 still applies.
Amotherby Parish Council	Objects
Highways North Yorkshire	
Archaeology Section	
Amotherby Parish Council	Comments
Amotherby Parish Council	Objects
Highways North Yorkshire	
Housing Services	
Economic Development	
NYCC Natural Services	
Environmental Health	
Sustainable Places Team (Environment-Agency Yorkshire Area)	
Archaeology Section	
Flood Risk	previous consultation dated 06/06/2022 still applies.
Ellie Hook AONB Manager	
North Yorkshire Education Authority	
Highways North Yorkshire	
Amotherby Parish Council	Objects

**Designing Out Crime Officer (DOCO)
Public Rights Of Way
Lead Local Flood Authority
Tree & Landscape Officer
Yorkshire Water Land Use Planning**

Comments

Representations:

Ms Andrea Beck, Miss Sally Raines, Mr Alan Eddison, Mr Jonathan Corbett, Mrs Laura Dodsworth, A & L Lovett, Mrs Sarah Harper, John Jones, Carol Brisby, Mrs Joanna Kelly, Eva Henderson, C Ann Botting, R D Welch, Andrea Ward, , Mr Anthony Hoggarth, Sarah Harper, Helen Gundry, Mr James Brambles, Barbara Bossall, Amotherby School, Mr David Bairstow, Mr David Wilson, Rosy Smith, Mrs Allison Casper, Mr Mark Swift, Miss Sara Bath, Mrs Bethany Corbett, Mr Graham Goforth, Mrs Rhonda Googe-Robinson, Laura Elliott, David Elliott, Mr & Mrs Nigella And Neil Ballard, Alison Hill, Margaret Mackinder, Elisabeth Arridge, Mrs Sophie Long, G & I M Wishart, David Wakeley, Mrs Clare Swift, Miss Darcy Skilbeck, Clare Suddaby, Mrs Rosie Riley, Mrs Sarah Tolhurst, Dr Katherine Diggory, Mr Mike Moffoot, Helen Quinn, Mr John Gill, Mr & Mrs P Wilcox, Mr Robert Welch, R W Bell, Mr Charlie Vaughan,

SITE:

The site is a field which is located on the south-western edge of the village. It is approximately 2.68 hectares in size and broadly rectangular in shape. The topography of the site is such that it slopes/ falls gradually in a south to north direction. The boundaries of the site are largely delineated by field boundaries consisting of traditional native hedges and mature trees.

The B1257 runs adjacent to the southern boundary of the site and existing residential properties are primarily located to the east. Amotherby Community Primary School is situated immediately to the north of the site and abuts the boundary of the site. Open Countryside lies beyond the site to the west. The Howardian Hills Area of Outstanding Natural Beauty is located to the south of the site and the B1257.

A Public Right of Way (Public Footpath) runs across the southern half of the site at an angled south/ west to north –east direction. The PROW runs from the Malton Road/B1257, across the site to Amotherby Lane. A further track at the north eastern edge of the site also links the site to land to the front of the primary school and to Meadowfield.

The site is a housing land allocation in the Development Plan (Policies SD2 – Residential Land Allocations and SD10 – Site Development Principles of the Ryedale Plan: Local Plan Sites Document). The site is within the Development Limits of the village and is located in Flood Zone 1.

Members will recall that the application was deferred at the October 2022 planning committee meeting. This was in order for the applicant to provide additional information in relation to the proposed Kiss and Drop facility and the proposed affordable housing tenures and to reconsider the number of homes proposed at the site. At officer's request, the application was also deferred at the December 2022 meeting in order to consider further objections which were received from the Parish Council. The LPA had no record of previously having received these objections which were dated October 2022.

This report updates the report to the October committee. It covers changes to the original scheme that have been made in response to some issues considered and raised by members and following further discussions between the applicant and Parish Council. It also covers further representations that have been received in the intervening period of time.

HISTORY:

There is no recent planning application history associated with the site.

PROPOSAL:

The applicant seeks full planning permission for the erection of 58 dwellings. The proposed development is comprised of four distinct blocks of housing each aligning internal estate roads. An area of open space and children's play space and a school 'kiss and drop' facility is proposed at the north side of the site and an area of open space is proposed at the southern part of the site between the first block of proposed housing and the site boundary fronting the B1257. Access to the site is proposed off the B1257 and located towards the South-Eastern part of the site.

The scheme is proposed as 100% affordable homes, with a split of tenure of 50% affordable rent and 50% home ownership products (shared ownership and Rent to Buy). The dwellings would comprise 19no. 2 bedroom, 31no. 3 bedroom and 5no. 4 bedroom dwellings, including 3no. 2 bedroom bungalows.

The dwelling types are proposed as follows:

- The Airedale (17 no. total) – Semi-detached – x2 bedrooms (70.1 sq. metres);
- The Airedale – Terraced – x 2 bedrooms (80.1 sq. metres);
- The Arkendale(16 no.) – Semi-detached – x3 bedrooms (95.4 sq. metres)
- The Dearne (5 no.) – Detached – x 4 bedrooms (107.2 sq. metres);
- The Harrison (1 no.) – Detached – x 3 bedrooms (99.6 sq. metres);
- The Littondale (2 no.) – Semi-detached – x 2 bedrooms (82.9 sq. metres);
- The Stonesdale (14 no.) – Semi-detached – x 3 bedrooms (94.7 sq. metres);
- Rosedale (3 no.) – Bungalows – x 2 bedrooms (74.1 sq. metres)

The above housing mix includes minor changes to the original scheme which included the provision of an additional single storey dwelling on the site (through the substitution of one two bedroomed unit) and amendments to the affordable housing mix to increase the number of Rent to Buy units (by replacing six of the formerly proposed affordable rented properties).

Materials proposed include a combination of red brick and reconstituted stone (artstone) external walling and concrete 'rustic red' interlocking roof tiles. Windows are proposed to be constructed of white UPVC with artstone heads and sills; rainwater goods of black UPVC and doors constructed of a composite material, with colours of differing shades of green. Each property would also feature canopies to the front doors which would be white GRP with tiling to match those used on the roof of the dwellings. All of the proposed dwellings would have front and rear amenity garden spaces with off street/ curtilage car parking for two cars.

Each property will be equipped with solar PV panels and energy efficient heating systems using Air Source Heat Pumps. In addition a 'fabric first' approach to construction will be undertaken to ensure that the properties are energy efficient and all properties will be installed with electric vehicle charging points.

Within the housing blocks, a combination of 1.8m close boarded fencing and 1.8m close boarded fencing on 0.6m gravel board is predominantly proposed as the boundary treatment between rear gardens. To address the sloping topography, the proposed development will sit on broad terraced levels within the site with limited sections of retaining walls, constructed of artificial stone, topped with close boarded fencing between gardens in some areas. The maximum height of these retaining wall boundary features and fencing is proposed at 1.65m walling with 1.8m fencing. The retaining walls which are

proposed to front public areas are proposed to be constructed in masonry (artstone) to a height of 1.5m, topped with 1.8m close boarded fencing.

The proposal includes provision of three areas of on- site public open space which would be located to the North, South and East of the site and totalling 5,757 sq. metres. A play park area is also proposed which would be located at the side of the site, comprising 400 sq. metres in area and proposed to be built to a LEAP (Local Area for Play Standard) with play equipment available for use by younger children. The scheme retains an existing access track link to Meadowfield in the north-eastern corner of the site. The Public Right of Way across the site would be sought to be diverted. This would be the subject of a separate diversion application. The entry/ exit points of the PROW at the site would remain unchanged and the proposed layout allows for a diverted route across the southern part of the site and through the open space proposed to the east of the site.

A proposed 'Kiss and drop' facility is located towards the north eastern corner of the site. It will be accessed from the main estate road and is designed as a loop to allow parent to drive into the space, drop off children and exit back into the housing estate. A new access and gate from the facility to the school grounds will be installed. A new 1.8 metre paladin fence is proposed along the whole of the northern boundary of the site. For the most part this would adjoin the boundary of the primary school. In a change to the original scheme, a 3m wide cycle and pedestrian route through the site from the entrance to the Kiss and Drop and to Meadowfield is proposed.

A landscaping plan is proposed with proposed trees and ornamental shrub planting proposed within or at the edges of the housing blocks and with new native hedgerow, heavy standard tree planting, species rich grassland and native scrub planting at/ within the areas of proposed open space and the perimeters of the site. Existing field boundaries would remain in-situ although a section (circa 13m) of existing hedgerow on the southern boundary will be removed to accommodate the site access . A further circa 42m of the existing hedge will be removed to the west of the access road in order to accommodate the necessary visibility splay. This will be reinstated/ realigned approximately 0.5 m back towards the site. A 0.3m high bund with 1.5m high acoustic fencing is proposed along the side of the site along the edge of the public open space in this location. The bund/ fencing will be located behind the boundary hedge and set within an area of native scrub and species rich grassland.

Further associated infrastructure includes the provision of an underground surface water drainage attenuation tank and pumping station.

The application is supported by a range of technical supporting information which is available to view in detail on the public website. It is also supported by a Planning Statement, Design and Access Statement and Landscape masterplan which are appended to this report. The Planning Statement includes reference to pre-application discussions that have been undertaken with a range of stakeholders. More recently, the developer has provided an update to the Statement of Community Involvement supporting the application. This details the public consultation and engagement that was undertaken prior to the submission of the application and specifically, to outline more recent discussions and amendments. This update is appended to this report for information.

PLANNING POLICY AND DECISION TAKING PRINCIPLES:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

The Development Plan for the area of Ryedale (not within the North York Moors National Park) consists of:

- The Ryedale Plan – Local Plan Strategy (2013)
- The Ryedale Plan – Local Plan Sites Document (2019)
- The Yorkshire and Humber Plan (Regional Spatial Strategy):- York Green Belt Policies (YH9 and Y1)
- Minerals and Waste Joint Plan 2015-2030

The following policies of the Ryedale Plan - Local Plan Strategy are of particular relevance to the assessment of the application:

- Policy SP1- General Location of Development and Settlement Hierarchy
- Policy SP2 - Delivery and Distribution of New Housing
- Policy SP3 - Affordable Housing
- Policy SP4 - Type and Mix of New Housing
- Policy SP10 - Physical Infrastructure
- Policy SP11 - Community Facilities and Services
- Policy SP13 - Landscapes
- Policy SP14 - Biodiversity
- Policy SP15 - Green Infrastructure Networks
- Policy SP16 - Design
- Policy SP17 - Managing Air Quality, Land and Water Resources
- Policy SP18 - Renewable and Low Carbon Energy
- Policy SP19 - Presumption in favour of Sustainable Development
- Policy SP20 - Generic Development Management Issues
- Policy SP22 - Planning Obligations, Developer Contributions and the Community Infrastructure Levy

The following policies of the Ryedale Plan- Local Plan Sites Document, are relevant to the determination of the application:

- Policy SD2 Residential Land Allocations

The Policy allocates 2.83 ha of land to the south of Amotherby Primary School for residential development with an indicative yield of 40 units. The policy makes it clear *that 'the yield identified for each site is indicative and the precise number of units to be provided on each site will be determined at the planning application stage'*.

- Policy SD10 Housing Land Allocation – Land to south of Amotherby Primary School, Amotherby. Development Principles.

The policy states:

Detailed proposals for the development of the site shall include:

- *An indicative yield of 40 dwellings*
- *Access from B1257*
- *Retention of Public Right of Way through the site*
- *Pedestrian and cycle only link to Meadowfield*
- *Land to be provided for a Kiss and Drop facility for Amotherby Primary School; public open space and children's play area within the northern quarter of the site*
- *Retention of hedge along boundary with B1257*
- *Well designed street and spaces*
- *Landscaping belt to the western site boundary*
- *Scale of buildings to be limited to one and two storey heights*
- *Sustainable drainage system to be integrated into design*

- *Capability for electric vehicle charging for each property with a dedicated car parking space within its curtilage*
- *Lighting scheme to minimise glare, reduce energy usage and protect amenity*
- *Appropriate archaeological evaluation and mitigation as detailed in Appendix 1*
- *As a safeguarded site, the feasibility and viability of the extraction /utilisation of the minerals resource will be demonstrated*

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

National policy covering Decision making; Housing Delivery; Communities; the Environment and Design is of specific relevance to the consideration of this application. National Planning Policy (the NPPF) and Planning Practice Guidance (PPG) are a material consideration in the decision taking process.

The Presumption in Favour of Sustainable Development

Both the Development Plan and the National Planning Policy Framework include policies which promote a presumption in favour of sustainable development to be applied in the decision making process alongside the legislative requirement that decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 11 specifically confirms that for decision- taking the presumption means:

- *“ approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, granting planning permission unless:*
 - *the application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole”*

Policy SP19 of the Local Plan Strategy is consistent with the above national presumption but makes specific reference to the Local Plan and Neighbourhood Plans; working proactively with applicants and clarifies the application of the second bullet of the national presumption. It states:

“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this Local Plan (and where relevant, with policies in Neighbourhood Plans) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted”*

REPRESENTATIONS:

Members are reminded that all representations made in response to the application can be viewed in full on the public web-site.

Letters of objection to the application have been received from 55 individuals/ households or local groups. One letter of objection has noted support in principle for the development but objects to specific matters. One letter has been submitted which provides comments on the application (without expressing explicit support or objection). The issues and concerns raised by those objecting to the proposal are summarised below.

General

- Does not comply/ conflicts with the Local Plan and National Policy (NPPF)
- Concerns / comments made by villagers have not been addressed/ have been ignored
- Concerned about the level of consultation undertaken
- Isolated from the village
- Anotherby does not need any more disruption
- Village has few services to support new development
- The village hall is dangerous to access and more cars will make this more dangerous
- Concerned about rabbits from the site causing damage to school grounds
- The brownfield garage site should be used
- Is at odds with the environment and community
- Concerned with the recommendation in the face of overwhelming objection

Housing (General)

- Fewer houses and more mix needed
- More suitable to an urban setting
- Should make an effort to deliver schemes that have stalled (eg ATS at Norton)

Housing (scale)

- Number of dwellings proposed should be reduced
- Too many houses for a village of limited facilities
- Will increase the size of the village by 47%
- Almost doubles the number of houses in the village in one space/ area
- Number proposed is in excess of the 40 units referred to/ approved in the Local Plan
- Scale of the development will impact on the character of the village/ will not integrate with the village

Housing (Tenure/ Mix)

- The needs of all in the community will not be met
- Mix (100% affordable housing) is unbalanced/ wrong
- Should be some market housing for people to buy as well as rent
- Provides no opportunity for local people to purchase a house locally/ stay in the village/ downsize and for young people to get on the property ladder
- Should be more bungalows for those wishing to downsize
- Should not be used to relocate families from outside of the District
- Should be a higher proportion of shared ownership
- Will create a ghetto/ undermine social cohesion
- Anti-social behaviour is associated with large social housing estates

- Amotherby is being sacrificed at the expense of Malton and Norton as RDC has failed to build the allocated number of shared ownership and rental properties
- Amotherby is being expected to make up for deficiencies in wider local affordable housing provision
- There will be a fast turnover of residents which will not encourage community integration
- Don't assume all local people can't afford to buy a house and therefore disadvantaging those young people who can
- Not right location for people on low incomes with limited access to services/ dependency on running a car
- The Parish Plan supports the development of affordable housing for private purchase/Residents are against social housing

Design

- Development criteria of SP10 have not been met
- Does not reflect the character of the village
- Should be a boundary fence to the east to demarcate the development from the wood
- Density or layout is not in keeping with the village or AONB
- Cramped/ contrived form of development which is detrimental to the character of the area
- These are town style houses not village style houses
- Material (brick)/ (one roof tile type) is not in keeping with the village/ would not integrate with the village
- Uniform design/Generic sub urban estate/Standard off the peg design with no effort to reflect local character
- Mono culture housing which will fail to enhance the lives of its residents
- Degrades rather than enhances the appearance of the village
- Paladin fence to the north has an industrial appearance
- Boundary fencing would destroy existing hedges
- Concerned about the maintenance of landscaping and paucity of planting/ landscaping
- Private gardens for some plots are too small
- Conflicts with Government policy on design – monotonous arrangement/ repetitious house types/ no sense of place/ limited materials and absence of features to provide visual relief to roofscape compound harm
- Boundary treatments are unlikely to be maintained resulting in unsightly frontages/ detrimental impact
- No garaging – fronts will be dominated by parked vehicles

Landscape/ trees

- Concerned about the loss of hedge
- The landscape/ open space to the front of the site does not provide a substantial buffer
- Light pollution will affect the AONB
- Mundane estate layout which fails to respect its surroundings (village and the AONB) and landscape setting
- Will impact on the view and feel of the AONB

Highway/ Transport

- Traffic calming measures should be included
- Will increase traffic close to the village crossroads where safety is already an issue. Increasing the size of the village will exacerbate an already dangerous traffic situation
- The TA underestimates the number of vehicle trips. The impact on the highway network will be severe.

- Safety audit does not mention cycling or dropped kerbs
- Developer might consider a contribution to local cyclepaths
- Site access needs to be wide enough to accommodate a pedestrian and wheelchair island and cycle lane
- Lower speed limit on the B1257 should be installed
- The proposed junction will be hazardous. A roundabout, signage and lower speed limit is needed
- Bus service is inadequate for modern living
- Road deaths and accidents are on RDC if this goes ahead

Amenity

- There will be more noise and disturbance created by the development
- Concerned about smell from the pumping station
- The Kiss and Drop will result in disturbance and noise for new residents
- Construction noise will impact upon learning/ the school
- The air source heat pumps will generate noise
- The impact of traffic noise has not been resolved
- Construction traffic/ parking should be on-site and accessed from the B1257

Infrastructure

- The primary school is at capacity (and will need money to expand) and the secondary school is oversubscribed
- Flooding in the village will be exacerbated. The drains can't cope with excess water
- Doctors surgery is already overcrowded
- Ryedale needs new schools, doctors and better road not new houses
- Services do not have the capacity to cope/ puts pressure on existing infrastructure
- Play area is small – question the safety of the location next to the Kiss and Drop
- The play park will not benefit the village
- The public open space is inadequate in size to serve the development
- Nursery school and out of school club are at full capacity and will need money/ planning to increase its facilities

Kiss and Drop

- The village will still be gridlocked
- Inadequate to alleviate the current situation
- Should be a car park to address the problems associated with the school traffic
- Question if it will be used as parents like to see children into school
- Parents will continue to block drives of houses on the new estate
- Too constrained for safe access
- Question size and design. It will cause a bottleneck with congestion and safety implications

Public Right of Way

- Historic route would be lost
- The proposed route is not reflective of the current nature of the existing footpath
- The development should be designed around the existing route of the PROW
- Diversion will mean that walkers will need to negotiate the road

Amotherby Parish Council has also objected to the proposal. Letters that have been received from the Parish Council are appended to this report. The Local Council's objections which were received prior to October 2022 meeting are summarised below:

- PC objection does not relate to the principle of developing the site

- Does not adhere to the requirements of SD10 and other local and national policy
- Excessive in size, scale and mix in comparison with the village with resultant impact on character and social cohesion
- The Design and Access Statement is inaccurate and does not reflect the concerns raised by the PC in consultation prior to the submission of the application. It is not the case that all consultees are happy with the scheme
- The Public Right of Way is not retained
- A proper SUDS is not provided
- Question whether the issue of noise has been resolved and whether the substantial buffer to the south of the site has been provided as referred to in the Inspectors report
- The Kiss and drop does not appear to have been designed with any proper analysis of the problem that requires its provision
- Issue of need for this form and size of the development and its sustainability is in question
- Concerned about the extent to which the PC's concerns have been taken into account and addressed and the lack of engagement of officers with the PC

Following some revisions to the scheme to address noise mitigation, landscaping proposals and highway matters, the Parish Council provided a further letter reiterating its objections. This is summarised below:

- No amendments have been made that address the legitimate concerns of the Parish Council/ the schemes' shortcomings
- 6 of the development principles have not been met or are questionable in terms of compliance
- The amendments to address noise will mean that the existing hedge is not retained and the substantial buffer between the development and the B1257 is not provided. The bund and acoustic fencing is a contrived and incongruous solution
- If a substantial buffer was provided at the southern end of the site and 12 of the units nearest the highway removed this would satisfy the development principles for the site by reducing noise and visual impact

The Parish Council has provided two further letters of objection, one dated October 2022 and the other in December 2022.

A summary of the objections/ issues included in the October letter is as follows:

- Accept the principle of development of the site as set out in Policy SD10
- Community and Parish Council feel let down and marginalised regarding the consideration of this application
- 30 dwellings in such locations was anticipated in the Plan process which changed to 40 indicative dwellings in the site process/ Inquiry
- Understand the frustration and lack of faith of PC and residents in a process that has led to an officer supported proposal that will increase the size of the village by 48%
- Concerns relating to proposed numbers are dismissed in a sentence by officers .
- No attempt in the 11 months that the application has been under consideration to reconcile the material objections of Parish and residents
- No reference to SP2 in context of small scale sites
- Does not facilitate a balanced community but carries an unbalanced emphasis on the need for affordable housing
- Affordable housing should not be in the form of mono tenured development which appears to make up for the shortfall elsewhere
- No compliant with the requirement of SD10 to require the PROW to be retained

- Lack of substantial buffer along B1257
- No cognisance has been taken of the requirement to achieve a locally distinctive design and layout and counter intuitive to dismiss the historic core of the village as a benchmark for locally distinctive development
- Design ethos is based upon, in part ‘anywhere development’ that was seen to be acceptable in the past but not with current progressive policies of local distinctive development.
- Layout does not reflect the character of Amotherby and the notion that it has been designed to follow topography is misinformed. If the flow of development had been north to south it could have been described as reflecting the character of Amotherby
- Do not accept that the drainage solution is a SUDS
- Disappointed that members were not provided with details (layout and house types) at the site inspection which would have aided understanding of the proposed development in the context of its appropriateness to the character and appearance of Amotherby

In December 2022, a further letter was received from the Parish Council and is summarised as follows:

- Continue to object/ Objections made by the PC to date are still relevant and material to the consideration of the application
- Amendments are minor in nature and fail to meet the fundamental objections the Parish Council have to the proposed development
- Design has been worsened by an ill thought out addition of chimney stacks which are at odds with the local vernacular. Brick end ridge stacks represent the type that most reflects the appearance of Amotherby and the use of art-stone stacks is wholly inappropriate
- Density and technical issues are not the whole storey and other conflicting policies and issues need to be weighed in the balance in term sof the numbers proposed. To accept more (than the 40 that the community reluctantly accepted) wholly based on density appears as a betrayal of trust.

One letter of support has been received from a local household. The matters/ issues included in support of the scheme are summarised below:

- Support – especially shared ownership
- Provides opportunities for the younger generation to live in the countryside as not everyone wants to live in a town
- Kiss and Drop will hopefully reduce traffic in the village
- The play park and open space will meant that children would not need to travel and will help bring the community together

A letter of support has also been received from a local business (BATA) and is summarised as follows:

- The company have been based in the village for a number of years and recognise there is a need for extra housing to support our business and others in the local area
- Currently 8 residents of Amotherby work for the company and the development would be good to attract more. Due to travel costs being very high, it would be advantageous to have more staff living in the village
- Some current staff have also expressed an interest to try for the part buy/part let as they are currently renting an hour or so away which would save fuel energy and time

A further letter has been received confirming no objection in principle to the proposed development and notes that the Kiss and Drop facility is appropriate (and the person would object if it was changed to a car park.

APPRAISAL:

The main issues in relation to the consideration of the application are addressed below.

Principle of Development

Members are aware that the site is allocated for housing development in the Development Plan and as such, the development of the site for housing is acceptable in principle. In this respect, significant weight is afforded to this in principle compliance with Policy SD 2 of the Local Plan.

Housing - Delivery

The proposal will support the delivery of housing in the District against planned housing requirements and will contribute to the Council's ability to continue to demonstrate a five year supply of deliverable housing land. There is no reason to assume that the delivery of the scheme will stall and the applicant anticipates a delivery rate of 35-50 homes per annum. The proposal will deliver in accordance with Policy SP2 (Delivery and Distribution of new housing) and contributes to the objective of national policy to significantly boost the supply of new homes. This is a benefit which weighs in favour of the proposal.

Housing - Scale

The scale and tenure/ mix of the development proposed is relevant to the consideration of the proposal. These are matters which have been raised by local objectors to the proposal in expressing concerns about social cohesion and the extent to which the scheme, in seeking to accommodate this number of dwellings is able to achieve design and other related policy requirements.

The application proposes the development of 58 dwellings and the development site is the allocated site. The development plan provides for an indicative yield of 40 units from the site. (As part of the site allocation process and in the absence of details being available for sites as part of that process, the indicative figure was informed by the use of average density and development factors which included , in this case, recognition that noise constraints could affect the developable area.) The fact that the application proposes numbers of units in excess of this amount is not considered to represent an in principle policy conflict. The yield from the site is expressed as an indicative yield and not an absolute figure.

The applicant is aware that the Parish Council and local residents would prefer to see a scheme of 40 units. Following the initial deferral of the application, the applicant has confirmed that they remain of the view that the proposed density is appropriate and has noted (in the SCI update document) that there is no technical justification for a reduced number of units. The developer has noted that a scheme of circa 40 houses would reduce the density of the development to circa 17 dwellings to the hectare and that this would not be an efficient or effective use of an allocated housing site.

In objecting to the number of dwellings proposed, the Parish Council has made the point that density and technical issues are not the only considerations and that other 'conflicting policies and issues' need to be weighed in the balance. Reading the Parish Council's objections as a whole this is taken as reference to Policy SP 2 of the Local Plan Strategy and Policies SD 2 and SD10 of the Sites Document as well as other local and national policies which may influence the 'yield' of a site, including for example design.

Policy SP2 of the development plan provides a policy framework for the distribution of housing development and the allocation of sites. The policy supports in principle, the allocation of small scale sites at Service Villages and the supporting text notes that as an indicative guide, small sites will generally mean sites for 30 dwellings or less. In the case of this site and as part of the site allocation process, the ability of the site to provide a higher 'yield' was considered to be acceptable in principle against the provisions of SP2.

Against this background, whilst the numbers of homes proposed at the site is in excess of the indicative yield included within Policy SD2, this as noted, is not considered to represent a policy conflict in principle. It is not a matter which in itself, would weigh wholly against the scheme or which would, in officer's opinion, amount to a reason sufficient to justify a refusal of planning permission.

The key consideration in respect of the number of homes proposed relates to the extent of any harm which would result in planning terms as a result of the numbers proposed.

At the proposed scale the proposal would result in a circa 38% increase in the number of homes in the Parish and objectors have noted that in terms of the size of the village itself the proposal would be closer to a 47%/ 48% increase in homes. However, whilst Amotherby has a limited number of services and facilities, there is no evidence to suggest that the development at this scale (and 18 units above the indicative yield) would overwhelm existing infrastructure, facilities or services. (It is not anticipated for example, that the Primary school would not have the capacity to accommodate children from the site.) In addition, the scale of the development proposed over and above the indicative yield is not considered to result in a level of development which would undermine or change Amotherby's character or role as a rural village in Ryedale.

The extent to which the number/ scale of development proposed is acceptable is a matter of whether the scheme is acceptable in terms of factors such as design, the development principles established for the site in the development plan and residential amenity, whilst also taking account of requirements of national and local policies that are aimed at increasing the delivery of new homes and ensuring an efficient use of land. These matters are addressed later in the report.

Housing - Tenure

All of the homes will be available as affordable housing and provided by the applicant who is a Registered Social Landlord. The scheme proposes a mix of affordable rent and shared ownership tenures and proposes 29 affordable rented homes and 29 shared ownership/intermediate properties (x10 Rent to Buy and x19 Shared Ownership units).

It is understood that the scheme is to be delivered with the help of Homes England grant funding. Due to restrictions on the how that funding is applied, only a policy compliant contribution can be included/ secured in a Section 106 agreement. (Members are aware that under SP3 (Affordable Housing) of the Development Plan, the Council will seek to secure 35% of dwellings as affordable dwellings on site.) The implications of this is that 20 of the dwellings proposed (16 Affordable rent and 4 intermediate tenure) will be subject to a local occupancy/ connection criteria specific to Ryedale. Yorkshire Housing has confirmed that the remaining 13 affordable rented and 6 rent to buy dwellings will be allocated through North Yorkshire Home Choice, which is available to households within the County. The remaining 19 shared ownership properties will be subject to eligibility criteria set by Homes England. Therefore, whilst not all of the properties will have occupancy secured/restricted to residents of the District, local residents in affordable housing need would still be eligible to occupy all of the dwellings proposed.

The proposed tenure splits for the scheme as a whole is proposed at 50% affordable rent and 50% shared ownership/ intermediate tenure. Of the 20 properties to be secured in the Section 106, 80 % (16) of these will be for affordable rent, with 20% (4) as an Intermediate Affordable tenure. The applicant has confirmed this will be the Buy to Rent affordable home ownership product.

Members are aware that Policy SP4 (Type and Mix of new housing) expects new housing sites to provide for increased housing choice and to contribute to the provision of a balanced housing stock. Policy SP4 does not prescribe a detailed tenure mix for individual sites. The aim of the policy is to ensure increased choice on a district wide basis. In this respect, the proposed 100% affordable tenure scheme would, albeit in a very limited way, help to address the imbalance between affordable homes and market/ owner occupied housing which exists across the District . The absence of any open market housing on the site does mean that site would not contribute to increasing the housing choice of those who do wish to purchase open market housing in the village. Whilst this is a limitation of the scheme, the majority of homes in the surrounding local area and at the village are owner occupied/ open market tenures. Residents in the local area will continue to have the choice to purchase homes in the local area as and when these become available. In addition, the proposed development will contribute to a greater mix of tenures across the settlement as a whole. Indeed, the Council's Housing Officer notes that there were only 6 affordable properties in Amotherby at the beginning of 2022.

Objections have been raised on the basis that as a purely affordable scheme, the site may not be conducive to social cohesion. It is considered however, that the proposed mix of house sizes and affordable tenures will provide for a wide range of households of different compositions and covering a variety of age, household structure and income groups. There is no reason to assume that new households will not contribute to local village life in the same way as a scheme that included a different tenure mix. Concerns that the scheme is tantamount to the creation of a ‘ghetto’ and will lead to antisocial behaviour are considered to be rather inflammatory and without basis. The scheme proposes the creation of new homes, which as outlined above will support a range of households. It should not be assumed the occupancy of the proposed properties would result in anti-social behaviour that is any way different to that which can be generated by those in owner occupied housing and in itself this point is not considered to be a materially relevant consideration in the determination of the application.

The applicant has prepared and recently updated a ‘Frequently Asked Questions’ document to provide details of the affordable housing products that the scheme will deliver. This has been prepared in response to Members requesting further information – specifically in relation to the way in which the shared ownership operates. The updated FAQ document is appended to this report. It would be very helpful if members could contact the Case officer prior to the meeting if there are any points of clarification needed on this information. This will ensure that officers are able to get this information from the applicant prior to the meeting.

The FAQ document makes it clear that there are restrictions that currently apply in relation to new shared ownership properties within Ryedale as an identified Designated Protected Area (DPA) under Housing legislation. The applicant originally confirmed that it did intend to enable occupiers of shared ownership properties to staircase to 100% ownership restricted on a leasehold basis. This would be with a mandatory buy back clause in the event that the home owner wishes to move which would ensure that the property is retained/ recycled as an affordable home. This reflects the position of Homes England for grant funded properties in DPA’s. It is understood that in order to address local concerns that the scheme does not support an element of market housing, the applicant is considering making an application to Homes England (via RDC) to waive the leasehold/ mandatory buy back requirements. This would be to allow occupiers to staircase to 100% freehold ownership. It would provide the opportunity over time for a proportion of the scheme to become available on the open market. (It should be noted that the section 106 agreement would be drafted to ensure that mechanisms are in place to ensure that those properties are always retained as affordable homes which could not be over ridden by a DPA waiver).

Members should be aware that any decision to grant a waiver rests with Homes England and as such is not something that can relate directly to the determination of this planning application or which can be controlled through the planning system. Whilst the use of the waiver may divide opinion, it should be noted that as an allocated site, the site could be brought forward as a market scheme with an affordable housing contribution. If it were to be developed on that basis it would provide fewer opportunities for affordable housing and routes to affordable home ownership than the proposed scheme (with or without the waiver in place).

The proposal includes a mix of house types and sizes , including 3 and 4 bed roomed detached properties, 2 and 3 bed semi- detached properties and 2 bed terraced and single story dwellings. It is considered that this does represent an appropriate mix of house types and sizes which broadly reflects Strategic Housing Market Assessment information which shows a requirement for smaller properties across the District. The proposed x3 bungalows complies in full with the specific policy requirement of Policy SP4.

In terms of space standards, the supporting material confirms that all of the homes will be built to or will exceed the ‘Technical housing standards – nationally described space standard’. This is welcomed and provides flexibility for households and changing household composition. In addition, the applicant has confirmed that the proposal is to build the dwellings with a build specification that will reduce energy demand by 94%. The development will not utilise gas and each property will be built with air source heat pumps and photovoltaic panels. This is a significant way of ensuring that the proposed properties will be affordable to occupy over time.

The Council's Housing Officer has confirmed that Housing support the proposal for 100% affordable housing in this location and following discussion with the applicant, has verbally confirmed that they are supportive of the mix, size and tenure of the proposed scheme. The Housing Officer has confirmed that the minor changes scheme over time, including to the tenure mix and the inclusion of the third bungalow is acceptable. A tenure plan has been submitted which would secure the tenure mix via condition.

The proposal is considered to comply with Policies SP2 (Delivery and Distribution of new housing); SD2 (Residential land Allocations); SP3 (Affordable Housing) and SP4 (Type and Mix of New Housing) . It is considered to be consistent with national policy (Chapter 5 NPPF) which aims to boost the supply of new homes and to ensure that new housing meets the needs of groups with specific housing requirements are addressed. Whilst it could be argued that a proportion of open market housing would result in a more balanced mix of tenures from the allocated site, this is not part of the development proposed. The delivery of affordable housing is a key Council priority and the benefits of the proposal in providing affordable housing to meet a range of requirements, together with compliance with national and local policies as a whole weigh in favour of the scheme.

Design

Policy SP16 (Design) of the Ryedale Plan states 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*
- *Provide a well- connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being”*

Policy SP20 (Generic Development Management Issues) requires that :

“New development will respect the character and context of the immediate locality and the wider landscape/ townscape character in terms of physical features and the type and variety of existing uses.”

Paragraph 130 advises that ‘*Planning Policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience’.*

The application proposes a housing estate of modern, predominantly two storey dwellings with pitched roofs and of a traditional scale and form.

Amotherby itself is formed of a range of house styles and housing layouts, ranging from the smaller historic cottages/properties which front onto Main Street, to mid to late 20th century housing estates at Cherry Tree Walk and Eastfield and the more recent modern estate , Seven Wells. There is a varied use of materials throughout the village, with stone and brick being the predominant external facing materials , and clay pantiles being the predominant roofing material. Boundary treatments within the village vary according to the different ‘character areas’. For example, stone retaining walls and front garden landscaping are a feature of Main Street. Landscaped front gardens and off street car parking are a feature of the more recent housing estate layouts and of existing housing along the B1257.

Within the context of the village, the proposed estate layout and form is not considered to be out of character with the built form of the village which has expanded (albeit not on the scale proposed on any one site) in the past, particularly on its western edge, to accommodate new housing in an estate layout. The scale/ proportions and form of the dwellings proposed are not considered to be out of character with much of the existing housing stock in the village. Furthermore, with the exception of the concrete roof tiles, the materials proposed are reflective of materials used across the village.

One of the key distinctive features of the village in the wider landscape is the way in which buildings sit within the sloping topography of the landscape. The design approach for the site will utilise the existing topography, with dwellings set into the existing sloping terrain. The use of retaining walls within rear gardens and on side garden elevations, is reflective of the use of retaining walls elsewhere in the village, particularly in the older area of Main Street, where the land falls steeply from The Street.

All of the dwellings proposed will front onto streets within the scheme and internal estate roads are connected which ensures the layout is easily navigated and legible. The retention of a Public Right of Way across the site and the inclusion of pedestrian and cycle access to Meadowfield are important features of the scheme which help connectivity to the wider village and the countryside beyond the village. The cycle and pedestrian only link to Meadowfield is required to comply with this element of Policy SD10. As originally proposed, the lack of specific cycle paths or shared cycle and pedestrian paths to support safe cycling was considered to be a limitation of the design approach. Following concerns raised by Members on this matter, a 3m cycle and pedestrian route the site from the entrance to the proposed Kiss and Drop facility and to Meadowfield has now been included as part of the scheme.

Objections to the design of the scheme include objections relating to a lack of local distinctiveness in the design approach; concern over the visual dominance of cars to the front of properties and the use of fencing for boundary treatments.

The Parish Council and other objectors have raised concerns that the design does not reflect local distinctiveness, including through design detailing and layout. As noted above, Amotherby has a very mixed range of architectural styles reflecting its incremental growth over time. In officer's opinion, there is no predominant or strong local vernacular within the village and against this context, it does not follow that all new development at the settlement should reflect the architecture of the traditional historic 'core' of the village. The Parish Council take the view that properties in the historic core give the village its locally distinctive appearance. In Officers view, whilst these historic properties are often aesthetically pleasing, it is not considered that the architectural style of properties in the village is so predominant or cohesive as to justify a design approach that is required to mirror traditional historic design in detail.

It is considered that in terms of scale, rectangular shape and pitched roof form, the dwellings proposed are not out of character with the domestic scale and form of the majority of properties at the village, including traditional properties. Moreover, the materials proposed reflect building materials which are predominant in the locality. As a new housing estate, the proposed development will have a degree of design uniformity. However, this does not mean that it is unacceptable in terms of broad design principles.

In response to initial design objections, the applicant has revised the scheme to incorporate chimneys on plots around the western and southern perimeters of the site and on selected plots within the site. Chimneys are an architectural feature which are common across many properties within the village and which are prominent in distanced views of the roofscape of the village. It is considered that the inclusion of this element of design detailing will improve the design of the scheme in the landscape. In addition and in response to an initial objection, the applicant has revised the balance of external walling materials to be used across the site and has increased the number of plots to be developed using artstone. The Parish Council has the view that the use of artstone chimneys is wholly inappropriate on the basis that brick end ridge stacks represent the type of chimney that most reflects the appearance of Amotherby. Officers do not dispute the point that existing chimneys in Amotherby may be predominantly constructed of brick. However, as noted above, it is considered that Amotherby is comprised of a range of houses of differing ages, styles and designs. In this context and in the view of

Officers it is not considered that brick built chimneys are a particularly prominent key feature which make a strong contribution to the built character of the place which would be undermined by chimneys constructed of artstone.

The Parish Council also takes the view that the proposed layout does not reflect the character of Amotherby, noting that if the flow of development had been north to south it could have been described as reflecting the character of the village. In Officers view, whilst Amotherby is shaped by development predominantly in ribbon form along the main street, the shape and form of the settlement also includes development in ribbon form along the B1257. The design principles for the site established in SD10 do not require the allocated site to reflect this character of the settlement . This would not represent an effective or efficient use of land. As proposed, the scheme layout includes a block of housing which runs on an east/ west alignment parallel with the B1257 with other blocks of development running on a broad north/ south axis. In addition to the proposed build form, the main estate road, open space arrangement and perimeter landscaping will collectively, in officers opinion, help to maintain elements of the shape of the settlement in the landscape.

Car parking to the front of plots avoids the use of rear car parking courts which can present design and safety challenges. Ornamental boundary landscaping and tree planting will help to visually soften building lines and car parking spaces. Close boarded fencing is a commonly used domestic boundary treatment. It is not unreasonable to assume that over time, the appearance of fence panels will be softened as trees and shrubs are planted within domestic gardens. It cannot be assumed that fence panels will be left to deteriorate or become unsightly over time. The applicant will remain the landlord for properties across the site which provides additional reassurance that boundary treatments will be maintained.

Three main areas of public open space are included within the design of the scheme. Two informal areas of open space are proposed along the southern section of the site and within a central eastern section. These open spaces will be landscaped with naturalistic planting and it is considered that they will help to create a sense of place by enclosing and framing the proposed housing. More formal open space, including a children's play area (LEAP) and kick about area are located in the northern section of the site. The open spaces proposed at the site total circa 0.7 ha. Village amenity/ open space is not an integral part of the character or built form of Amotherby and in this respect, the open space at the site has been designed to frame the development, support connectivity and to visually assimilate the development in the landscape.

A comment has been made that this is an insufficient level of open space and that the areas of open space to the south and east of the site are incidental areas that are not large enough for functional of usable recreational purposes. This is not a view shared by Officers. The cumulative quantum of open space is considered to be acceptable and the type of open space proposed will provide for a variety of recreational use including walking and informal and formal children's play. The level of type of open space provided is acceptable under Policy SP11 (Community Facilities and Services). A condition is proposed to secure an appropriate specification and maintenance for the open space and LEAP at the northern side of the site.

The application is supported by a landscape masterplan and planting specification. In general, the approach to landscaping includes the provision of more formal shrub and tree planting within the main site area, including formal low level ornamental boundary planting to delineate front garden spaces, together with more natural landscaping at the site boundaries. The latter includes the retention of boundary trees and hedges, together with native shrub, heavy standard tree planting and species rich grassland planting. The submitted landscaping masterplan has been the subject of various minor amendments and in a limited number of areas, necessary landscaping has been omitted in error in a limited number of areas. To this end, if members are minded to approve the application, this would be subject to the submission of a further revised landscape masterplan. In general, it is considered that the approach to landscaping at the site is acceptable for a scheme of this nature and within the context of the surrounding landscape character.

Policy SD10 specifically requires the provision of a landscaping belt to along the western boundary of the site. The site, once developed will be most visible from the west and landscaping along the western

boundary will be an important way of ensuring that the proposed development can be successfully assimilated within the landscape. At present, whilst the boundary benefits from some mature trees, the hedgerow is 'scrappy' in parts, with significant gaps. To this end, whilst the landscape masterplan provides broad proposals for this boundary, it is considered that a more detailed landscaping plan and specification is required for this area, which includes identification of areas of additional hedgerow planting as well as tree planting and native scrub planting and maintenance. A condition is proposed to secure the submission and approval of such details.

The landscape masterplan is broad brush in nature and approach. Two other areas of the site – the landscape buffer along the southern boundary and the open spaces on the eastern boundary are significant spaces that are integral to the design of the scheme. Whilst in principle, the landscape approach to these areas is acceptable, it is considered that the detailed extent and nature of planting in these specific areas does need to be secured by specific conditions.

The Police Designing Out Crime Officer has reviewed the application and provided comments which have been addressed in the design which will be secured through appropriate conditions. These include the use of appropriate boundary treatment to the Kiss and Drop and LEAP; defensive boundary landscaping and landscaping to demarcate plots and a management plan for Public Open Space. The developer has also confirmed that each property will be provided with secure cycle locks and security lighting to front elevations. The Officer did raise the issue of visitor car parking arrangements. The developer has confirmed that visitor car parking will be provided on street and not in any specific designed area which is not something that the Local Highway Authority has objected to. Visitor car parking will be overlooked and lit by street lighting. The Police have not objected to the scheme on the basis of safety.

The density of the development is 28 dwellings to the hectare. This is not an inappropriate density for a housing site in an edge of a village location. If the site were to be developed at a lower density (with a resulting lower yield) and in the absence of other specific constraints to the developability of the site, the Council would not be making the best use of land. In effect, it would be under utilising a land allocation, in conflict with para 124 of national policy which states that '*Planning policies and decisions should support development that makes efficient use of land*'.

A number of energy efficiency/ carbon reduction measures have been included as part of the design of the scheme and performance is documented in a supporting Energy and Carbon reduction statement. All of the proposed dwellings will benefit from the installation of air source heat pumps and roof mounted solar pv panels, with a high specification of thermal insulation. Significantly the supporting statement notes that the approach to the design/ specification will result in a reduction in carbon emissions of 91.4% and a reduction in energy demand of 94.25% over a baseline scenario. The supporting information and proposed scheme supports requirements of Policy SP18 (Renewable and Low Carbon Energy) and these design credentials are benefits which weigh in favour of the proposal. In addition, electric vehicle charging points will be installed to all of the properties, in accordance with Policy SD10.

It is considered that subject to a limited range of revisions and appropriate conditions, the proposal complies with the design requirements of Policy SP16 (Design); SP20 (Generic Development Management Issues) and Policy SD 10 (Development Principles for the site).

Residential amenity

The residential amenity of residents neighbouring the site and the future occupiers of the proposed scheme has been considered.

Policy SP20 (Generic Development Management Issues) notes that "*New development will not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.*"

Existing residential properties are located to the east of the site, with two bungalows in the south eastern

corner of Cherry Tree Walk being in closest proximity to the proposed new housing. Two of the bungalows proposed as part of the scheme have been sited with these existing properties in mind and these are sited immediately to the west of the neighbouring bungalows. Separation distances between elevations are a minimum of 20m. It is understood that the hedge boundary in this location are owned by the occupiers of the properties in Cherry Tree Walk which will ensure that existing boundary planting can be maintained. A 1.8m close boarded fence is also proposed to the rear of the proposed bungalows. With these factors in mind, it is considered that the proposed development will not result in an unacceptable impact on the residential amenity of the occupiers of adjacent properties at Cherry Tree Walk either in terms overlooking, loss of light or overbearing effects.

Other neighbouring properties are located to the east of the site adjacent to the B1257 although these are separated from the site by boundary planting and an area of wooded copse/ thicket. The Dwellings proposed as part of the scheme are located at some distance from these properties and will not present any issue in terms of overlooking, loss of light or overbearing effects. A 1.8 m close boarded fence is proposed to be located along the south eastern boundary of the site. Whilst the neighbouring properties which front the B1257 will be subject to significant road traffic noise which is an existing issue that the proposed development could not be expected to address, the fence will help to mitigate the impact of any increase in road traffic noise and disturbance as a result of the installation of the site access.

Plot sizes and Noise are residential amenity issues of relevance to future occupiers of the proposed dwellings. Members are aware that the Council does not have specific policy requirements in respect of separation distances between properties, property sizes or plot/ external amenity space areas. Separation distances between directly facing main elevations are circa 20 metres or more, with a reduction in separation distances between properties with main elevations at oblique angles or with main elevations facing gable elevations. The separation between plots within the proposed layout is considered to be acceptable. A comment has been made that the rear gardens to a number of plots are too small. With the exception of two plots, all homes will have external amenity spaces at or in excess of 50 metres square which is not an unreasonable level of outdoor private amenity space. Plots sizes are generally commensurate with house sizes across the site. Whilst, Plots 24 and 48 have proposed external amenity space of 46 and 43 square metres respectively, these spaces are not considered to be unacceptably small for two bedroomed properties. The space is sufficient for bin storage, 'sitting out' and the drying of washing. It should be noted that these properties will be made available to rent through choice and may serve to provide some choice for households who do not require a larger garden area for children's play or gardening. All of the proposed dwellings will have private rear amenity space/gardens which is considered to be adequate, in accordance with Policy SP4 (Type and Mix of new Housing) of the Development Plan. The internal floor area of all of the dwellings are proposed to exceed technical housing standards (Nationally Described Space Standard) established by Government.

The application site is exposed to road traffic noise associated with the B1257 and a Noise survey and noise contour modelling has been undertaken to support the application. Policy SP20 (Generic Development Management Issues) requires "*developers to apply the highest standards in respect of noise*". In order to achieve internal daytime (35 db LAeq) and internal night-time noise levels with windows open (30 db LAeq and 45db LAm_{ax}), a 0.3m high bund with 1.5 m high acoustic fencing is proposed to mitigate the impact of road noise. On the basis of the information provided, the Environmental Health Manager has confirmed:

"The application is therefore supported provided that a condition is imposed to ensure the acoustic barrier referred to above is of the design and specification (superficial mass density) modelled in the contour mapping exercise and that the bund and barrier are constructed and maintained to ensure there are no gaps or holes in it to provide the sound reduction claimed".

The application is considered to be in accordance with the relevant policy requirements of Policies SP20 and SP4.

The Parish Council has raised concerns that a significant landscape buffer has not been provided at the southern end of the site and that this was a feature that the Inspector (appointed to assess the soundness of the Local Plan Sites Document) made reference to in her Examination report, which stated that "*Due to the depth of the site, a substantial buffer can be created to reduce the potential for noise from the busy B1257*". This highlights that the Inspector was mindful of the road as a source of noise and took the

view that through layout and design, noise was capable of being addressed at the site. Noise modelling and a detailed layout was not available to the Inspector and it is not clear if, in her mind, the significant buffer to which she referred should or should not include mitigation measures over and above distance alone. A reference to such a buffer was not required to be added to the development principles in SD10 as a modification to the plan. Noise contour modelling of the field (in the absence of any proposed development) has not been undertaken. In this respect, the distance of the development into the site from the road which would be required to achieve satisfactory noise standards (without the bund and acoustic fencing) is not known. Inevitably this would mean a reduction in the developable area of the site. The proposed layout includes a landscape buffer to the south of the site which is also capable of accommodating acoustic mitigation measures which are acceptable in landscape terms. A reduction in the developable area of the site or increase in the extent of landscape buffer proposed to the southern boundary is not required in order to ensure that the highest standards of noise can be acceptably achieved at the site in accordance with the Council's policy.

Landscape impact

The site is currently a field with a pastoral quality. The development of the site will clearly change the character of the site in the landscape. The allocation of the site for development establishes the fact that this is considered to be acceptable in principle.

The site lies within the setting of the Howardian Hills Area of Outstanding Natural Beauty and it is within the Vale of Pickering National Landscape Character area and adjacent to the Howardian Hills National Landscape character area.

Field boundary trees and hedgerows are a key feature of the landscape character of the Vale of Pickering and existing boundary trees and hedges will remain a key feature of the landscape proposals for the site. In addition, the changing topography at the juncture of these two character areas is a key feature of the local landscape as land falls from the scarp slope of the Howardian Hills into the Vale of Pickering. The site is proposed to be developed by taking account of the sloping topography and in this respect takes account of this element of the immediate landscape character and context of the site. Furthermore, the site is adjacent to existing development at the village and it is considered that from immediate and wider views within the surrounding landscape, the site will be read in the context of the existing village.

The Howardian Hills AONB is located to the south of the site, with the boundary of the AONB running along the southern side of the B1257. National and local policy recognise that development within the setting of a nationally protected landscape can have an adverse impact on the natural beauty and special quality of a protected landscape. To ensure that the natural beauty of the nationally protected landscape is conserved and enhanced, it is important that new development within the setting of a nationally protected landscape is located and designed to avoid or minimise impact on the protected landscape. The AONB Manager has responded to the planning application and notes that there are limited views of the site from within the AONB. Notwithstanding this, the AONB Manager has noted that the first row of houses will be visible from the AONB and that the development will result in increased traffic through the AONB. The AONB manager has suggested number of measures to reduce the impact of the scheme on the AONB including : the retention of boundary hedging; the inclusion of open space and tree planting to the front/ south of the site; measures to control the impact of light/ light pollution ; appropriate construction management and the retention and inclusion of features to assist ecological connectivity with the AONB. The range of measures will be addressed through proposed conditions . It is considered that subject to securing such measures, the development, by virtue of its location within the setting of the AONB , will not result in harm or unacceptable adverse impact on the landscape or natural beauty of the protected landscape.

The southern boundary hedge is a key feature in the landscape and together with other hedges, provides landscape, green infrastructure and ecological connectivity along the B1257. The hedge stretches for 131m along the length of the southern boundary of the site. The construction of the site access and visibility splays will result in the removal of 55m of the hedge, although with the exception of the permanent loss to facilitate the road and path access, the majority of the hedge (circa 38m) will be reinstated. Policy SD10 recognises that landscape significance of this hedge and the retention of a hedge on the southern boundary is a development principle which is reflected in the proposed scheme.

It is considered that for the reasons outlined above, the development of the site will not have an unacceptable impact on the character or appearance of the local landscape or the nationally protected landscape and is considered to accord with the policy requirements of Policy SP13 (Landscapes) and SD10 of the Development Plan.

Ecology/ Biodiversity

The application is supported by an Ecological Impact Assessment (EIA), Landscaping planting specification; Vegetation Survey, Bat Activity Survey and Badger Assessment.

The site is agriculturally improved grassland of relatively low biodiversity value with hedgerows and tree lines on its boundaries. The site and boundary trees and hedges have some value in providing foraging habitat for bats and badgers. The EIA notes that the impacts of the development include the loss of habitat and potential damage and disturbance during the construction and operational periods. The EIA proposes a range of mitigation measures including on site landscaping/ habitat creation and management; the control of lighting and general environmental protection provisions during the construction phase.

The County Ecologist has reviewed the information supporting the application, which has been revised after initial comments were provided. In terms of habitat creation/ biodiversity gain, he has noted that , *'The updated Biodiversity Metric calculation shows a small (4%) net gain in area-based habitat units post-development and a more substantial (42%) increase in hedgerow units. While this would not meet the 10% uplift set out in the Environment Act, this is not yet a mandatory requirement and it does deliver the net gains for biodiversity referred to in para 174(d) of the NPPF'*.

The ecologist has agreed that the schedule of planting contains appropriate species for the proposed native tree and hedge planting and has confirmed that the mitigation measures proposed in the EIA should be conditioned if members are minded to approve the application. The measures for ecological mitigation in the EIA are itemised so that each will be detailed in an Arboricultural Method Statement, Construction Environmental Management Plan or a Biodiversity Management Plan. On that basis it is appropriate that a condition is used to secure the submission for approval of each of these plans.

The proposed development will not result in unacceptable harm or loss of biodiversity and satisfactory mitigation measures can be secured. In this respect, the proposal is considered to be acceptable in terms of Policy SP14 (Biodiversity) of the Development Plan and paragraphs 179 and 180 of national policy.

Minerals and Waste

The site falls within a Minerals Safeguarding Area, established by the Joint Minerals and Waste Plan. As such, a principle of Policy SD10 requires *'the feasibility and viability of extraction/utilisation of the minerals resource to be demonstrated'*. The purpose of the relevant policy in the Minerals and Waste Plan and of the development principle is to encourage developers to consider the extraction of the resource and where possible, for use within the development. In this case, the developer has confirmed that it is not practical or viable for them to extract sub surface mineral resources from the site. In addition and in officers view, mineral resource extraction could also have a significant impact on the topography of the site which the proposed development seeks to utilise. It is also considered that extraction would also have a significant impact on the residential amenity of local residents. For these reasons, the extraction of the sub surface mineral resource is not considered to be a feasible or viable option in this case.

Public Right of Way and Green Infrastructure

A public footpath crosses the site in a south west to north easterly direction before it exits the site to the south of Cherry Tree Walk to the east of the application site. The development as proposed would affect the existing route of the PROW. The applicant is proposing to permanently divert the PROW within the site. The site layout plan indicates that the proposed route would align with the proposed pedestrian highway to the south of the site, running parallel with the stretch of open space to the site frontage before following the site access road in a northerly direction and then running through the proposed open space on the eastern side of the site before joining the existing route of the path beyond the eastern boundary of the site.

The legal process to divert the PROW is separate to the determination of the planning application. It is understood that a diversion order has been sought via the Secretary of State although such an order would not be confirmed before any planning permission is granted.

A number of objections to the scheme relate to the diversion of the PROW/ loss of the existing route and concern that the proposed new route will diminish the experience of users. The allocation of the site for development establishes the principle of the land use change on the site and the change in character of the site. The proposed PROW diversion route is aligned with public open spaces proposed at the site. This is in accordance with good practice in order to support continued informal recreational use and user experience. A PROW will be retained at the site in accordance with SD10 and SP15 (Green Infrastructure Networks) of the Development Plan.

Trees

The application is supported by a Tree Survey. Trees at the site are present along the boundary of the site along with existing hedgerows. The survey notes that these are all either of moderate arboricultural value or relatively low landscape and arboricultural value. No existing trees are proposed to be removed as part of the development according to the tree survey, although one Ash tree is identified as being removed from the proposed area of open space on the eastern side of the site. The Council's Tree and Landscape Officer has no objection to the removal of the tree which has a fungal bracket at the base and decay cavity. He has confirmed that the tree has a potentially elevated risk of failure and that it would be prudent to remove it. He has confirmed that in his view, the proposed level of tree planting is considered sufficient to mitigate the loss. The Officer has also confirmed that "*subject to necessary ground/fencing protection up to or beyond the root protection of the trees the proposal is considered to have a minimum impact on existing trees both on and off site.*" A tree protection condition is recommended and on that basis the proposal is considered to accord with the elements of Policies SP13 (Landscapes) SP14 (Biodiversity) and SP16 (Design) which seek to retain natural landscape features as part of new development.

Archaeology and Heritage

The application is supported with several archaeological assessments including geophysical surveys and trial trenching. The requirement for this information was identified during the plan making process and is included in Policy SD10. These have been subsequently assessed by the County Archaeologist. The archaeologist has confirmed that the assessments are an appropriate level of investigation and that they meet the requirements of national policy. The work has revealed evidence of a later prehistoric or Romano British settlement towards the northern part of the site.

Having regard to the level of harm and loss to below ground heritage assets and the significance of these, the County Archaeologist has confirmed '*I attach a copy of a Written Scheme of Investigation prepared by MAP Archaeological Practice for a set piece archaeological excavation to mitigate against the loss of archaeological deposits in the northern part of the site. I have previously informally agreed the scope of this scheme and have no issues with the document. The written scheme should be implemented in advance of the development.*' A condition requiring the appropriate archaeological recording has been requested to be attached to any grant of planning permission.

The level of harm associated with the development is not considered to outweigh the benefits associated with the development. On the basis that appropriate mitigation can be secured by condition, the impact of the proposal on archaeological heritage assets is considered to be acceptable.

The site is not located within or on the edge of a Conservation Area and whilst there are some Listed Buildings within the main body of the village, it is considered that the proposed development would have a neutral impact on the setting of these designated assets which is currently the built form of the village.

In terms of heritage assets, it is considered that the proposed development would comply with Policies SP12 and SD10 of the Development Plan and national policy (Chapter 16).

Highways

The application is supported by a Transport Assessment and road safety audit. The proposed residential development is expected to generate 28 am peak (8.00-9.00am) movements and 25 pm (5.00-6.00pm) peak vehicular movements. In addition, the proposed Kiss and Drop facility could see a significant school associated trips into and out of the site but notes that these are vehicular movements within the highway network.

The Local Highway Authority has considered the application and has sought some clarification and revisions to ensure appropriate visibility splays are achieved at the sites entrance, that internal junctions are appropriately designed and to ensure that sufficient pedestrian crossing points and dropped kerbs are provided. The LHA requires a widening of the footpath from the site entrance to the village crossroads on the B1257 and is satisfied that the car parking provision proposed satisfies its car parking standards. The proposed Kiss and Drop facility has the potential to result in high traffic volumes at peak school drop off and pick up times. The LHA initially questioned how traffic was to be managed in order to minimise disruption to estate roads. The developer has confirmed that the Kiss and Drop facility will be transferred to the school as part of a legal agreement and that the legal transfer will secure appropriate management arrangements. It is understood that this will include the need for a marshal to be present to on site during these times and for a bollard to be installed to manage car parking when not in use. The LHA has noted that marshal arrangements have worked successfully at other school Kiss and Drop facilities within the County and the LHA is content that the design of the Kiss and Drop facility is acceptable. The LHA will monitor how the facility operates and the LHA has the option in the longer term to put traffic management in place on the estate roads if this is considered to be necessary in the future. The Kiss and Drop facility has the potential to alleviate some of the effects of school related traffic on Main Street and Meadowfield and this is considered to be a benefit of the scheme.

Following the deferral of the application at the October 2022 committee, a letter from the school Chair of Governors has been received which confirms and details the schools intention to manage the kiss and Drop facility. The letter is appended to this report.

Policy SP20, entitled ‘Generic Development Management Issues’ states that “*Access to and movement within the site by vehicles, cycles and pedestrians would not have a detrimental impact on road safety, traffic movement or the safety of pedestrians and cyclists. Information will be required in terms of the positioning and treatment of accesses and circulation routes, including how these relate to surrounding footpaths and roads*”.

Paragraph 111 of the NPPF makes it clear that ‘*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*’.

It is considered that vehicular traffic associated with the application can be accommodated on the proposed estate roads, the junction of the site with the B1257 and the B1257. The LHA has not objected to the application on the basis of highway safety or capacity and has recommended conditions to cover engineering specifications/ layout; off-site highways works and construction management. In this respect the proposal is considered to comply with the requirements of Policy SP20. The Local Highway Authority has verbally confirmed that proposed cycle path from the site entrance to the Kiss and Drop and Meadowfield is acceptable in terms of its location and width and that the detailed specification will be addressed in the highway drawings which will be secured by condition.

The Local Cycle Forum has referred to the possibility of the site including a section of cycle path parallel to the B1257 to assist in delivering aspirations for a wider strategic route/s. In the absence of further detail or development of a route, this is not addressed as part of the application. However, it is noted that the proposed layout of the scheme would not preclude the installation of a route within the southern extent of the site or alterations to the access junction if required.

Drainage and Flood Risk

The application is supported by a Flood Risk Assessment, Drainage Philosophy/ Strategy, a SuDS Management Plan and details. The submitted information has been considered by the Lead Local Flood

Authority and Yorkshire Water.

The site is located in Flood Zone 1 and the Flood Risk assessment confirms that the risk of fluvial flooding is low and that much of the site is at a very low risk of overland flooding, with the exception of a small area on the northern (lowest point of the site) which is at a low risk of overland flooding. The supporting information notes that the introduction of a drainage scheme as part of the development of the site will address this. The Flood Risk Assessment concludes that the proposed surface water attenuation will the risk of flooding to/at the site will be low from all forms of flooding and that the proposed positive drainage strategy will ensure that flood risk should not increase flood risk elsewhere off site.

The supporting drainage information and Planning statement confirm that it is not possible or practicable to discharge surface water to either the ground via infiltration or to a nearby watercourse and on that basis the proposal is to discharge surface water to a nearby surface water sewer. Surface water drainage attenuation will be achieved through the use of an underground attenuation tank which would have the capacity to provide storage for 1 in a 100 year event with a 40% climate change addition. The proposed drainage scheme also requires the installation of a pumping station to address land levels relative to the outfall to the surface water connection drain.

For foul water, the proposal is to connect into the existing Yorkshire Water foul sewer within Meadowfield.

Concerns of objectors in relation to drainage and flooding issues have been received and relate to the existing capacity of the waste water systems and existing surface water flooding that has taken place in the village. In terms of the latter whilst these concerns are noted, they do not relate to the site and indeed appear to relate to the main road through the village which is understood to become flooded in periods of intense rainfall. It appears that the concerns are that this development would exacerbate that issue although no evidence to support this has been submitted for consideration by the Local Planning Authority. The proposed drainage scheme would be designed to attenuate surface water in storm events. The Lead Local Flood Authority (LLFA) have considered the surface water design proposed and has confirmed that it represents a reasonable approach to the management of surface water and recommend conditions. Yorkshire Water has recommended conditions to ensure related to drainage of foul and surface water on separate systems; no piped discharge until the completion of proposed surface water drainage works and to ensure that no works are undertaken until the foul water drainage proposals were submitted and approved. It should be noted that whilst Yorkshire Water have not raised concerns in principle, they do require some amendments to the proposed submitted drainage details, most notably in relation to pumped rates of discharge to the public sewer network. It is understood that the applicant's drainage engineers have addressed these points and have revised the drainage proposals in line with Yorkshire Water's requirements and it is understood that the LLFA has confirmed that the revised pumping rates are acceptable to them. The details will be required to be submitted and approved as part of the discharge of the conditions proposed.

The drainage measures proposed are a SUDS scheme, albeit at the 'lower' end of the drainage hierarchy.

It is considered that based on the assessment completed by the LLFA and the response from Yorkshire Water, the proposal would not increase flood risk to the users of the development or elsewhere and that suitable surface and foul water drainage arrangements can be provided in compliance with Policy SP17 of the Development Plan and the NPPF.

Ground Contamination

The application is supported by ground investigation reports. The Council's Environmental Health team have considered the information provided and have confirmed that the results are '*acceptable and show no cause for concern regarding the site*'. In this respect that application complies with the requirements of Policy SP17 (Managing Air Quality, Land and Water Resources).

Economic Benefits

The supporting Planning Statement notes a range of economic benefits associated with the proposal.

Direct benefits include construction expenditure of circa £ 9 million; the creation of 39 new jobs; New Homes Bonus (Circa £500k) and additional council tax payments (circa £90K). Indirect economic benefits will arise as housing needs are met which provides increased opportunity for those in need to live and work locally, an estimated 54 new indirect jobs and increased expenditure in the local area.

Whilst these economic benefits are not all unique to this application, they are factors which weigh in favour of the proposal. The development for the site for affordable housing is of particular benefit to those economic sectors who are struggling to recruit or retain workers due to a lack of affordable housing in the area.

Infrastructure/ Developer Contributions

The Community Infrastructure Levy is used in Ryedale to fund off site infrastructure improvements which are required as a result of new development. Affordable housing is exempt from the CIL payment and a CIL receipt will not be generated from the scheme. The Education Authority has confirmed that additional capacity is not required at Amotherby County Primary School. It has confirmed that the development contributes to a requirement for additional capacity at Malton Secondary School. As a CIL receipt will not be generated by the development, additional capacity at the secondary school would need to be addressed through existing and future CIL monies raised elsewhere. This is consistent with Policy SP22 (Planning Obligations, Developer Contributions and CIL). It should be noted that the proposed Kiss and Drop facility will be transferred to the Primary School and can be considered as an ‘in kind’ developer contribution to the school. This will be secured within the S106 legal agreement.

Concerns have been raised that the local nursery and after school club will be unable to cope with additional children and that contributions will be required to accommodate additional children. It is understood that these are privately run facilities and it is noted that the Local Education Authority has not raise a lack of capacity of pre-school or after school facilities as requiring developer contributions to address.

The development will provide some additional village greenspace and a children play area which will contribute existing provision in the area and underprovision at the settlement. This is a benefit of the scheme which accords with Policy SP10 (Physical Infrastructure) .

CONCLUSION:

The site is an allocated housing site. Its development for affordable housing aligns strongly with key Council priorities and key elements of the design align with the development principles established for the site in the Development Plan. It is considered that the development can be accommodated without an unacceptable impact on the surrounding landscape and as proposed is within the capacity of infrastructure to accommodate.

The benefits of the development are considered to weigh significantly in favour of the proposal.

RECOMMENDATION: Approval

Approval subject to a Section 106 agreement and the following conditions:

- 1 The development hereby permitted shall be begun on or before .

Reason: In order to comply with the provisions of the Town and Country Planning Act as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the application form dated the 5 November 2021 and the following approved plans:

Existing Site Plan, ref. 001-PL-8620, Rev. B;
Location Plan, ref. 002-PL-8620, Rev.A;
Proposed Site Plan, ref. 003-PL-8620, Rev. S
Boundary Treatment Plan, ref. 005-PL-8620, Rev. P
Proposed Materials Plan, ref. 006-PL-8620, Rev E ...
Proposed PV panel location, ref. 009-PL-8620, Rev. C
Kiss & Drop Facility, ref. 010-PL-8620;
Proposed Tenure Plan 2, ref. 014-PL-8620; Rev B
Proposed Highway Plan, ref. 015-PL-8620, Rev. G;
Arkendale Semi-detached proposed Floor Plans, ref 104-PL-8620-Rev C
Arkendale Semi-detached proposed Elevations, ref 204-PL-8620-Rev C
Arkendale Detached proposed floor plans ref 109-PL-8620-REV C
Arkendale Detached proposed Elevations ref 209-PL-8620-REV C
Airedale Semi-detached Proposed Floor Plans, ref. 100-PL-8620, Rev. C;
Airedale Semi-detached Proposed Elevations, ref. 200-PL-8620, Rev. C;
Airedale Terraced Proposed Floor Plans, ref. 101-PL-8620, Rev. C;
Airedale Terraced Proposed Elevations ref. 201-PL-8620, Rev. C;
Rosedale Bungalow Semi-detached Proposed Floor Plans, ref. 102-PL-8620, Rev. A;
Rosedale Bungalow Semi-detached Proposed Elevations ref. 202-PL-8620, Rev. D;
Stonesdale Semi-detached Proposed Floor Plans, ref. 103-PL-8620, Rev. C;
Stonesdale Semi-detached Proposed Elevations, ref. 203-PL-8620, Rev. C;
Stonesdale & Littondale Dual-aspect Proposed Floor Plans, ref. 106-PL-8620, Rev. C;
Stonesdale & Littondale Dual-aspect Proposed Elevations, ref. 206-PL-862, Rev. D;
Stonesdale Semi-detached Proposed Floor Plans, ref. 108-PL-8620, Rev. A;
Stonesdale Semi-Detached Proposed Elevations, ref. 203-PL-8620, Rev. C;
The Harrison Detached proposed Floor Plan ref107-PL-8620, Rev C
The Harrison Detached proposed Elevations ref207-PL-8620, Rev D
The Dearne Semi Detached proposed Floor Plan ref 108-PL-8620 Rev A
The Dearne Semi-detached proposed elevations ref 208-PL-8620, Rev C
The Dearne Detached proposed floor plans ref 105-PL-8620, Rev C
The Dearne Detached proposed Elevations ref 205-PL-8620, Rev D
NB Drawing numbers of above house type plans subject of amendments to be confirmed with agent for avoidance of doubt
Proposed Site Section A-A & B-B, ref. 300-PL-8620; Rev G
Proposed Site Section C-C, ref. 301-PL-8620;
Design & Access Statement, dated. 1 July 2021;
Landscape Masterplan, ref, DR-5104-01.01, Rev M.
Planting Specification, ref. DR-5104-01.02, Rev M
Proposed Visuals, ref. 400-PL-8620; dated 11 November 2021;
Proposed Street Scenes, ref. 401-PL-8620;Rev B

Reason: For the avoidance of doubt as to what constitutes the permission and in the interests of proper planning.

- 3 Prior to works of above ground construction, details and samples of all materials to be used on the exterior of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 4 Prior to works of above ground construction, the developer shall construct on site for the written approval of the Local Planning Authority , one metre square free standing panels of the external walling to be used in the construction of the dwellings and retaining boundary walls.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 5 Prior to works of above ground construction, details of all windows and doors including means of opening, depth of reveal and external finish and precise eaves detailing shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP16 of the Local Plan Strategy.

- 6 Prior to works of above ground construction precise details of ground surface materials shall be submitted to and approved in writing by the Local Planning Authority and thereafter the agreed details for all public areas shall be maintained.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 (Generic Development Management Issues) of the Local Plan Strategy.

- 7 Prior to works of above ground construction, precise details of the measures to address renewable energy, low carbon and sustainable building within the scheme, including electric car charging points to all dwellings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the details thereby agreed.

Reason: To support energy efficiency and a reduction in carbon emissions and to satisfy Policy SP18 of the Local Plan Strategy and SD10 of the Ryedale Plan.

- 8 Prior to the occupation of the dwellings hereby approved, details of the precise position, design and specification of the acoustic barrier, including superficial mass density of the acoustic fencing along the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The acoustic barrier shall be constructed and thereafter maintained in accordance with the approved details.

Reason: To protect the residential amenity of the occupiers of the development in accordance with Policy SP20 of the Local Plan Strategy.

- 9 No development shall take place other than in accordance with Land South of Amotherby Primary School, Amotherby, North Yorkshire - Written Scheme of Investigation Archaeological Strip Map and Record prepared by MAP Archaeological Practice.

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

- 10 The development shall not be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In the interests of the historic environment and to comply with Policy SP12 of the Ryedale Local Plan.

- 11 No works shall take place until a Construction Environment Management Plan (CEMP-Biodiversity) is submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the measures recommended in the supporting Badger Assessment Report; Preliminary Ecological Appraisal Report and Ecological Impact Assessment Report. The approved CEMP shall be adhered to and implemented throughout the construction period in strict adherence with the approved details.

Reason: In the interests of the Ecology and Biodiversity of the area and to comply with Policy SP14 of the Ryedale Local Plan.

- 12 No works shall take place until and Landscape and Biodiversity Management Plan covering the site is submitted to and approved by the Local Planning Authority. The plan shall include measures recommended in the submitted Preliminary Ecological Appraisal and Ecological Impact Assessment reports and shall cover all of the site but shall also specifically include:

- Full details of the tree, hedge and native scrub planting , together with initial and on-going management of vegetation along the western boundary of the site
- Full details of the tree and native scrub planting, grassland retention, meadow creation, and hedgerow reinstatement at the southern boundary and open space to the south of the site and on-going management of this area. The details shall include minimum heights of landscape planting to be maintained to ensure appropriate screening of the acoustic barrier.
- Full details of the planting, initial tree and hedgerow management and on -going management of the boundary trees and hedges, public open space and public areas along the eastern side of the site.

Those agreed measures and their management shall be incorporated on the site within the agreed planting timescales and thereafter so maintained.

Reason: In the interests of the longer term landscape setting of the development, with the enhancing of habitats and biodiversity of the site, and to enhance green infrastructure on the site to comply with the requirements of Policies SP13 (Landscapes), and SP14 (Biodiversity) and SP15 (Green Infrastructure) of the adopted Ryedale Plan- Local Plan Strategy and the Development Principles of Policy SD10 of the Ryedale Plan- Local Plan Sites Document.

- 13 Prior to the commencement of the development hereby approved, details of the form and position of fencing, which shall comply in full with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations', for the protection of those trees, shrubs and natural features not scheduled for removal shall be submitted for the written approval of the Local Planning Authority, and such fencing shall be erected in the positions approved before the development is commenced (including any soil stripping) and thereafter retained until such completion of the development, to the approval of the Local Planning Authority. Hereafter, the fencing shall be referred to as the 'approved protection zone'. There shall be no site huts, vehicles, or any other buildings or materials in connection with the development sited or stored within tree root protection zones.

Reason: To preserve trees and hedges at the site in the interests of biodiversity, visual amenity and the character of the area and to comply with Policies SP14 (Biodiversity), SP13 (Landscapes) and SP15 (Green Infrastructure) of the Local Plan Strategy.

- 14 Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation and use on site. The details shall include the position, height, angle of lighting, illuminance level and hours of operation. All lighting shall be installed, operated and maintained in accordance with the approved details.

Reason: In the interests of biodiversity, the local landscape and safety and to satisfy the requirements of Policies SP14; SP16 and SP17 of the Ryedale Plan, the Local Plan Strategy.

- 15 The on-site Children's play area shall be built to a Local Equipped Area for Play (LEAP) Standard. Prior to works of above ground construction, full details including the number (minimum of 6) and types of play equipment/ experiences; boundary fencing; signage; seating; surfacing and management shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure safe and usable children's play space and to satisfy Policy SP1 of the Local Plan Strategy.

- 16 Prior to the commencement of the development precise details of existing spot ground levels and the finished floor levels of each dwelling measured in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory external appearance and to satisfy Policy SP20 of the Local Plan Strategy.

- 17 Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

- 18 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until, visibility splays of 120 metres measured along both channel lines of the highway from a point measured 2.4 metres down the centre line of the access road shall be provided. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan.

- 19 There must be no access or egress by any vehicles between the highway and the application site at Land at OS Field 8052 Meadowfield, Amotherby until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been provided. In measuring the splays the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility

splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety and to accord with Policy SP20 of the Ryedale Local Plan.

- 20 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

- 21 Prior to the commencement of the development a Construction Management Plan for the construction works required to complete the hereby approved development shall submitted to and approved in writing by the Local Planning Authority. Once approved, construction of the hereby approved development shall be undertaken in full accordance with the approved Construction Management Plan. The Plan must include the following:

1. Details of any temporary construction access to the site including measures for removal following completion of construction works;
2. Restriction on the use of Meadowfield access for construction purposes;
3. Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
4. The parking area of contractors' site operatives and visitor's vehicles;
5. Areas for site compound and storage of plant and materials used in constructing the development clear of the highway;
6. Measures to manage the delivery of materials and plant to the site including preferred routing and timing of deliveries and loading and unloading areas;
7. Details of the preferred routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. Protection measures of carriageway and footway users at all times during any demolition and construction;
9. Protection measures of contractors working adjacent to the highway;
10. Erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
11. Means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
12. Removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
13. Details of external lighting equipment;
14. Details of ditches to be piped during the construction phases;
15. A detailed method statement and programme for the building works; and
16. Contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interests of public safety and amenity.

- 22 Prior to the commencement of the development, details of a detailed maintenance and management regime for the surface water drainage storage facility shall be submitted to the Local Planning Authority for written approval. Once approved, those details shall be adhered to in full for the duration of the development.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to comply with Policy SP17 of the Ryedale Local Plan.

- 23 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

Reason: To ensure satisfactory and sustainable drainage and to manage flood risk and pollution.

- 24 There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to: ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and to manage flood risk.

- 25 No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reason: To ensure that no foul water discharges take place until proper provision has been made.

- 26 During construction no burning shall take place on site.

Reason: In the interests of the amenity of the area.

- 27 Construction works and related activity shall only take place between the hours of:
08.00 - 18.00 Monday to Friday;
09.00 - 13.00 Saturday
And with no works and activity on Sundays or Bank Holidays.

Reason: In the interests of the amenity of the area.

- 28 Prior to being brought into use, a Management Plan for the Kiss and Drop Facility shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and thereafter the facility shall be operated in accordance with the approved details. The Plan shall include details of the arrangements to be put in place to monitor the parking, arrival and departure of vehicles during school drop off and pick up times and outside of these times, the measures to be employed to prevent vehicular access save access for maintenance or emergency access.

Reason: In the interests of residential amenity in accordance with Policy SP20 of the Local

INFORMATIVE(S)

- 1 It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation. The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.