

Meeting: Richmond (Yorks) Area Constituency Planning Committee
Date: Thursday, 13th April, 2023
Time: 10.00 am
Venue: Civic Centre, Stone Cross, Rotary Way, Northallerton DL6 2UU

Update List

Update List - 13 April 2023

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RICHMOND (Yorks) CONSTITUENCY AREA PLANNING COMMITTEE
SUPPLEMENTARY TO COMMITTEE REPORTS

13 April 2023

Agenda Item	Application number and Division	Respondent	
Page 3	22/00565/OUT	Officer	<p><u>Corrections to the Report & Amended Conditions:</u></p> <p>Page 43 paragraph 2.1: Details of scale is a reserved matter other than the maximum floor space limit which is recommended to be conditioned.</p> <p>Page 47 paragraph 7.8: “SCDV” is an acronym for Scotch Corner Designer Village which was granted under appeal council reference 14/00687/FULL.</p> <p>Page 58 condition 2: To include Scale as a reserved matter to be approved including the height of the buildings.</p> <p>Page 64 condition 20: To be replaced in its entirety with the following new text:</p> <p>Condition 20 Biodiversity (discharge required) With the Layout Reserved Matter application a Biodiversity Net Gain Scheme (BNGS) including Biodiversity Metric Calculation shall be submitted to and approved in writing by the Local Planning Authority. This shall scheme shall demonstrate how a biodiversity net gain can be delivered and secured for the lifetime of the development.</p> <p>The BNGS shall include planting details, establishment scheme, management scheme including funding and responsibilities, and timetable for implementation. Thereafter wards, the development shall take place in complete accordance with the BNGS and in perpetuity.</p>

**Third Party
comment**

Reason: Details are required at the Reserved Matters stage as there is limited land to provide mitigation for the tree loss and no indicative Biodiversity Net Gain Scheme has been submitted with this outline application. The need for a Biodiversity Net Gain is likely to affect the layout and thus why the information is needed at this stage. This condition is applied having regards to paragraph 174 of the NPPF.

Note: Without a Biodiversity Net Gain a new application or Section 73 application would be required so that a planning balance exercise could be undertaken in the context of the confirmed percentage loss. Opportunities such as ponds and brown roofs may need to be explored to achieve Biodiversity Net Gain for this development.

Page 65 Condition 21: First sentence amended to “With the Layout Reserved Matter application a scheme detailing foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority.”. Reason amended to : “Details are required at the Reserved Matters stage as SUDs are the most sustainable form of drainage and can also act as ecology and landscaping features. These can take up a reasonable amount of space and therefore need to be considered alongside the layout. This condition is applied to ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk; together with contributing towards biodiversity net gain having regard to Sections 12, 14 and 15 and of the National Planning Policy Framework 2021”.

Objection:

- Development should be directed to previously developed land.
- Scotch Corner can not cope with additional traffic flow.
- Little in the way of sustainable transport to and from the site.
- Little in the way of residential areas in the near vicinity and as such employees will have to travel by car to and from the site.
- There are no cycle routes nearby.

Page 5	22/02555/OUT		<p><u>Clarifications and Corrections to the Officer Report:</u></p> <ol style="list-style-type: none"> 1. Paragraph 10.51 of the Officer Report incorrectly includes the words 'TO FINISH'. These words should be replaced by the following additional text: <i>"...BNG is difficult to quantify at outline stage as crucial matters including landscaping, layout and design are often not considered until reserved matters stage (which is the case with regards to this application)..."</i> 2. Paragraph 10.12 of the Officer Report states that the policy compliant 30 per cent affordable housing provision would equate to 26 on-site units and a commuted financial contribution to account for the remaining 0.4 of a unit (it should be noted that the Council's Housing Department have confirmed that 0.4 of a unit would equate to a financial contribution of £66,391.60.) based on an 88 unit development. To clarify, as an outline application, it is sufficient for the Section 106 to require the 30 per cent affordable housing provision, with the precise number of affordable units and/or off-site financial contribution to be agreed once the precise number of on-site units are known. 3. Paragraph 10.31 of the Officer Report confirms that Environmental Health had provided comments in relation to the originally submitted application that the issue of the existing manure heap should be mitigated for. To clarify, the muck heap has been removed from the amended plans, therefore mitigation is no longer required. 4. Paragraph 10.41 of the Officer Report confirms that while Yorkshire Water Services have not objected to the potential for the discharge of surface water to the mains (surface water) sewer

within their representation, they stated that the proposed restricted (maximum) discharge rate of 8.48 l/s is unacceptable, and that although Yorkshire Water are not objecting to the principle of discharging to the public sewer as a 'last resort' option, they nevertheless want to ensure that all other options are assessed. The agent has confirmed that it is now the intention to reduce the surface water discharge rate to 5.64 l/s (this amended greenfield discharge rate is also referenced at 5.3.1 of a revised Flood Risk Assessment and Drainage Strategy, available to view in full via Public Access)

- Amendments and updates to Table 2 (Section 106 Requirements) at paragraph 12.1 of the officer Report (new/altered text underlined):

Table 2		
Category/Type	Requirement/Contribution	Amount/Trigger
Affordable Housing	Secure 30 per cent affordable housing provision, including a policy and Housing SPD compliant housing mix.	<u>30 per cent provision through on-site affordable units. Any partial shortfall of on site affordable housing provision should be made up through an equivalent financial contribution for off-site provision)</u>

		The trigger points for AH provision to be subsequently agreed.
Wensleydale Railway	The completion of the Wensleydale Railways Crossing works.	To be confirmed.
Public Open Space/Play Facilities	Provision and/or financial contributions towards the provision of play facilities, POS and the other requirements of Appendix E.	To be confirmed.

6. Correction made to the date of Network Rail's response (new/accurate date underlined) within recommended condition 19 within the 'Recommended conditions' section of the Officer report:

19. Prior to commencement of development hereby approved a surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the issues raised in Network Rails response dated 22.11.2022 in relation to surface water drainage and the adjacent railway line are to be addressed. The development shall thereafter be carried out in accordance with the approved strategy.

Reason

To ensure that the development does not cause drainage/flooding issues on the adjacent railway line in the interest of public safety.

Additional Recommended Condition

“Prior to the occupation of the first dwelling the applicant shall submit an independent survey prepared by a suitably qualified highway engineer confirming that the construction of Bluebell Way has been completed to an adoptable standard in accordance with the approved plans of the Bluebell Way development and that the road is safe to use for both existing and by households who will occupy the proposed development”

Reason: To ensure that the proposed access to the site is safe in accordance with Policy IC2 of the Local Plan.

Additional Representations Received:

An additional response has been received from the occupant of 9 Elm Tree Lane, Aiskew, following the reconsultation exercise objecting to the proposals and raising several issues and concerns as summarised below (the full response is available to view via Public Access):

- (a) Asking whether it is intended for access to the proposed development (during the construction phase) to utilise Sycamore/Bluebell Way.
- (b) The Transport Assessment (a section 5.3.2. is incorrect in stating that all homes within the Linden estate (including Sycamore Avenue and Bluebell Way) are occupied and the roads/access are being safely used on a daily basis. Locals maintain grave concerns about road safety.
- (c) The traffic base flows used within the original and updated Transport Assessments are not an accurate reflection of traffic flows as they were taken on the 18.03.2020, 5 days before the national COVID-19 lockdown.
- (d) The junction diagrams within the Transport Assessment are complicated and not self-explanatory to the lay person.

			<p>A letter has been submitted on behalf of L.Sampson and Son Ltd (Farmers) confirming that agricultural vehicles used by the farm to access their land at Aiskew Mill Farm (from Blind Lane) do not exceed the maximum legal width of 2.55 metres. (the response is available to view via Public Access):</p> <p><u>Additional Documents/Correspondence Received:</u></p> <p>Letter dated 13th March 2023 from Yorkshire Water Services confirming that a pure-maintenance inspection of the prospectively adoptable works have been completed and that the letter constitutes a Provisional Certificate (a copy of the letter is available to view via Public Access)</p>
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