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Meeting: Richmond (Yorks) Area Constituency Planning Committee

Date: Friday, 17th November, 2023

Time: 9.30 am

Venue: Council Chamber, Civic Centre, Stone Cross,
Northallerton, North Yorkshire DL6 2UU

Update List

Update List - 17 November 2023

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

17th November 2023

<u>Agenda Item</u>	<u>Application number and Division</u>	<u>Respondent</u>	<u>Details</u>
		<u>Update List from the 10th August, 2023 Planning Committee (where still relevant)</u>	
Page 3	ZB23/01079/REM Ian Nesbit Aiskew	Officer Report - Clarification	It is stated in the Officer Report that no Noise Assessment has been submitted with the reserved matters application. This is technically incorrect as a Noise Assessment (NJD21-0144-001R/R4) was submitted on 21.06.2023. The assessment, conclusions and recommendations of this assessment are identical to those of the N.A. submitted with the outline application (and which is referred to/referenced within the Officer Report)
		Additional/Amended Plans	The following additional/amended plans have been uploaded to Public Access since the publication of the Committee agenda (these plans are included in the Officer presentation to Committee): Revised Layout Plan (Rev.N) Revised Landscape Masterplan (Rev. G) 'Newbury' House Type Plan
		Officer Commentary	The revised layout plan and landscape masterplan are amended to accurately reflect the on-site and off-site land ownership, e.g. the introduction of a land-edged-blue on the layout plan. The Newbury House Type is included in the revised layout plan as well as the previous layout plan referred to in the Officer Report, but the house type plan had not been uploaded to Public Access and was a previous omission. None of the amended plans alter the conclusions and recommendations made within the Officer Report.

			<p><i>Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.”</i></p> <p>9. <u>Bird Hazard Management Plan</u> (text in bold added/recommended by the Case Officer)</p> <p><i>“No development above the level of the damp proof course for any the buildings hereby approved shall take place until a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence (MOD). The Bird Hazard Management Plan should contain, but not be limited to:</i></p> <ul style="list-style-type: none"> <i>a. An assessment of the various bird species found in the vicinity of the site, to include species data and numbers;</i> <i>b. Details of measures designed to prevent the development forming an environment attractive to those large and/or flocking bird species hazardous to aviation safety;</i> <i>c. Details of layout of the solar panels, and roof proofing measures designed to prevent access to feral pigeons and any other identified problematic species; and</i> <i>d. Confirmation of drain to dry times for the attenuation basin and details of the maintenance programme through which those drain to dry times will be maintained.</i> <p><i>The development shall be carried out and managed strictly in accordance with the details agreed and there shall be no variation without the express written consent of the Local Planning Authority in consultation with MOD.</i></p> <p><i>Reason: To limit the potential of the site to attract and support populations of those bird species that may cause detriment to aviation safety.</i></p>
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		<p>Recommended Amended Condition</p>	<p><i>“The first occupation of any of the dwellinghouses approved by this planning permission shall not take place until the approved planting and biodiversity enhancements have been completed in full, and their completion confirmed in writing by the Local Planning Authority.</i></p> <p>10. Off-Site Landscaping Condition <i>“Prior to the completion of the approved off-site planting and biodiversity enhancement works, a scheme for its continued management and maintenance shall be submitted to and agreed in writing by the Local Planning Authority. The off-site planting and enhancement works shall be managed and maintained in accordance with the approved scheme, including any timetable included for management and maintenance works.</i></p> <p><i>The completed planting and biodiversity enhancement works shall be retained, managed and maintained in accordance with the approved details for a minimum period of 30 years from the date of its completion.</i> <i>The reason for the works to be completed prior to first occupation of the dwellings is to ensure that the off-site planting and biodiversity enhancements are secured before the first occupation of the associated residential development.</i></p> <p><i>Reason: To ensure that the off-site planting and biodiversity enhancements are undertaken and completed in accordance with the approved plan, in accordance with Policies E3 and E7 of the Local Plan.”</i></p> <p><u>Condition 6</u> (text in bold added/recommended by the Case Officer)</p> <p><i>“Prior to the commencement of development any works above the level of the damp proof course for any the buildings hereby approved, a carbon savings and renewable energy scheme shall be submitted demonstrating how all practical and viable measures to provide carbon savings; renewable energy and make prudent and efficient use of natural resources will be implemented. The scheme shall include, but not be limited to, details of the precise details</i></p>
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		<p><u>Update List - Post 10th August, 2023 Planning Committee</u></p>	
<p>Page 8</p>		<p>Additional Consultation Responses received (Following Reconsultation on “100 Per Cent” Affordable Housing Proposals</p>	<p><u>Parish Council:</u> The Parish Council have submitted the following comments/concerns:</p> <ul style="list-style-type: none"> • Is the layout suitable for affordable housing? This feels like Keepmoat has shoehorned it in rather than rethinking the plan to work for affordable housing. As NYC highlights, if the scheme were to arrive today, it would be questioned as 100% affordable due to house types etc. But developers are pushing this as they are stating there isn't time to implement a new plan. • As it is 100% affordable with an element of social, then surely there should be other amenities, i.e. a play park and a social space? • Can they demonstrate the need for Social Housing as there is a development already in Leeming Bar? • I understand there is a lot of money available for Social housing, but does that mean these will be left empty over time if there is no need in the area? • Can the houses be prioritised for locals? Can a radius be set on a percentage of dwellings so these are only for locals? • We still don't agree with access, and we think other options should be explored more. • Still no progress on adoption from a physical point of view. Has this progressed?

Representations Received from Local Residents: A total of 4 representations (all objecting) have been received following the latest reconsultation. The comments/observations are summarised below:

- Concerns about the proposed development being accessed through Sycamore Avenue/Bluebell Way.
- Adverse impacts from the increase in traffic movements within the local area, e.g. child safety; health and safety concerns and impacts on the free flow of traffic.
- The development would dramatically change the nature of the existing residential estate.
- Access via Blind Lane should be considered.
- Concerns regarding further residential development in the future.
- There is a lack of children play provision within the development.
- Impacts on local services.
- Poor public transport provision.
- Access to the development would be via an unadopted road system.
- The proposals for “100 per cent” affordable housing is a major change and should require changes to house types and sizes and even number of dwellings to be allowed. The original application must be re-submitted in its entirety to allow residents to submit representations (and objections, where they wish to) on the basis of a 100 per cent affordable scheme.
- Concerns that the Council has already ‘made its decision’.
- The proposal to “100 per cent affordable provision” will devalue existing property values in the immediate area, and lead to a ‘merging’ between the fully affordable development and Sycamore Avenue.

An additional response from a local resident was received after the August Planning Committee, but before the latest reconsultation (relating to the proposals for “100 per cent” affordable housing provision. This representation (objecting) is summarised below:

			<ul style="list-style-type: none"> • There are too many housing developments in the local area already, and there is no appetite/need locally for this development. • The development would detract from the character of Aiskew and Bedale. • Loss of more green space and wildlife habitats.
Page 10		<p>Previous Planning Committee Resolution and Subsequent Consultation Responses</p>	<p>The Planning Committee resolved to give delegated authority to Officers to APPROVE reserved matters following receipt of written confirmation that the Local Highway Authority, Wensleydale Railway and Network Rail have no objections to the latest proposals, including authority to impose any planning condition(s) recommended by the Local Highway Authority (LHA).</p> <p>A formal recommendation has been subsequently received from the LHA, confirming that the LHA “is comfortable” for the application to be progressed, subject to two recommended conditions (summarised below):</p> <ul style="list-style-type: none"> i. The approval of detailed engineering drawings; a programme for implementation and the completion of off-site highway mitigation measures to provide the turning restriction layout at Blind Lane/Bluebell Way prior to first occupation. An independent Stage 2 Road Safety Audit shall also be undertaken. (Condition 13) ii. The submission and approval of a Construction Management Plan (CMP). <p>It is recommended that the “off-site highways works” condition is imposed should Members decide the grant reserved matters approval, although Officers do not consider the recommended CMP condition to be necessary as there is a very similar condition imposed on the outline permission for this development.</p> <p>Both the Wensleydale Railway and Network Rail have failed to provide responses to the Council’s reconsultation, and it is therefore assumed they do not wish to make any further comments/observations.</p>

Page 11		<p>Additional Conditions & Reasons</p>	<p>11. <u>On-site Landscaping Scheme - Implementation</u> <i>"The approved elements of the landscaping scheme that are situated within the curtilage of the approved dwellings shall be implemented within the first planting season following the first occupation of that dwelling." Reason: To ensure that the approved planting is undertaken and completed in accordance with the approved plan, in accordance with Policies E3 and E7 of the Local Plan.</i></p> <p>12. <u>Landscaping and Ecological Enhancements - Implementation</u> <i>"The approved planting and biodiversity enhancement located outside of the curtilages of the approved dwellings shall be fully implemented within the first planting and seeding seasons following the first occupation of any of the approved dwellinghouses, and the implementation confirmed in writing by the Local Planning Authority. Reason: To ensure that the landscaping and biodiversity enhancements are undertaken and complete din accordance with the approved plans and within an appropriate timescale, in accordance with Policies E3 and E7 of the Local Plan."</i></p>
		<p>Updated Recommendation</p>	<p>The recommendation at paragraph 1.2 of the Officer Report is amended as follows (amendments in bold)</p> <p>That reserved matters approval be Granted subject to conditions (as listed within section 12 of this report and as per the additional and amended conditions as recommended within the Update List) and the proposed Deed of Variation (to amend the Section 106 agreement) agreed.</p>

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