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Meeting: Richmond (Yorks) Area Constituency Planning Committee

Date: Thursday, 14th December, 2023

Time: 10.00 am

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

Update List

Update List - 14 December 2023

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Richmond (Yorks) Constituency Area Planning Committee
Supplementary to Committee Reports

14th December 2023

Agenda Item	Application number and Division	Respondent	
1	22/01334/OUT Ian Nesbit Great Ayton		<p><u>Committee Report Clarifications and Corrections:</u></p> <p><u>Clarification:</u> The application description refers to ‘Public Car Parking’. The agent has confirmed to Officers that all indicative parking within the site is only proposed to serve the proposed residential development proposed and is not for any other purpose.</p> <p><u>Correction:</u> Paragraph 10.75: A Phase 1 Assessment has been submitted with the application. No significant land contamination issues have been raised, although if outline permission is granted, it is recommended that a condition is imposed requiring the recommendation of the Phase 12 survey to be undertaken/followed, including procedures to be followed should unexpected contamination be found during construction.</p> <p><u>Clarification:</u> Paragraph 10.79 states that, <i>“the agent has confirmed that the existing buildings on site are part of the Cleveland Lodge estate, and although have in the recent past been used by agricultural tenants, they are currently not used for agricultural purposes.”</i> The agent has since clarified that although the agricultural buildings are not being used as part of any tenancy, they are being used on an informal, <i>ad hoc</i> basis by a local farmer, e.g. hay storage.</p> <p><u>Correction/Update: Section 106 requirements (Table 2):</u> The ‘requirements’ relating to ‘Nutrient Offsetting: “Secure the offsetting of 2.93ha 2.45ha of existing agricultural land (within the applicant’s ownership) as native, broadleaf woodland.”</p>

		<p><u>Additional Application Documents:</u></p> <p>A Stage 1 Biodiversity Net Gain Assessment (and accompanying Biodiversity Net Gain metric spreadsheet - version 4.0) have been submitted by the agent following the publication of the Planning Committee Agenda, including the Officer Report.</p> <p>The Assessment has been uploaded to Public Access, but a summary of its contents and conclusions are provided below:</p> <ul style="list-style-type: none"> - The BNG baseline for the application site includes 4.69 Habitat Units - Based on the proposed (indicative) layout, the on-site post-intervention which includes habitat retention and enhancement is calculated as resulting 6.36 Habitat Units (a 1.67 unit gain (+35.69%), i.e. above the 10% legislative requirements. - The calculator shows that a positive 1.86 change in native hedgerow is possible. - A 'stage 2' BNG Assessment would be completed. <p>NB – The 2.93 hectares of proposed woodland for nutrient neutrality 'offsetting' has not been included within the BNG Assessment.</p> <p><u>Officer Commentary:</u> The BNG Assessment provides more certainty that a policy (E3) and legislative-complaint gain in BNG (both in relation to habitat and hedgerow units) can be achieved on-site for the proposed development, as concluded within the Officer Report. A detailed BNG scheme will need to be submitted (and subsequently agreed) should outline permission be approved (i.e. the details and requirements for BNG to be secured through a Section 106 agreement)</p>
	Local Highway Authority	<p><u>Consultation Response – Local Highway Authority:</u></p> <p>Following the publication of the Planning Committee Agenda (including the Officer Report), the Local Highway Authority have submitted their formal recommendation,</p>

supporting the proposals (subject to the conditions summarised below) for the following reasons:

“Access to the site is proposed through the site occupied by 17 Station Road which will need to be demolished to provide access to the development. Access to the site is proposed by a new priority T junction onto Station Road. In order to improve visibility at the access some localised carriageway narrowing and footpath widening is required. The original proposals were subject to a Road Safety Audit and identified certain recommendations to improve the issues identified. These recommendations have been accepted by the Developers Transport Consultant who have incorporated the recommendations within their proposals. The application is also supported by a Transport Statement which has assessed the impact of the development and found that the development will not adversely affect the local highway network. Consequently the Local Highway Authority recommends that the following Conditions are attached to any permission granted:”

- Pre-commencement approval of full detailed engineering drawings for all aspects of the roads and sewers and a programme for the delivery of these works.
- No part of the development to be brought into use until the carriageway and footway from which the development will gain access is connected to the existing highway network to at least ‘binder course macadam’/block paving level with kerbing and any street lighting also installed/operational...All roads works shall be undertaken in accordance with an approved programme.
- Prior approval of all vehicular, cycle and pedestrian accesses, vehicular and cycle parking, vehicular turning arrangements and loading/unloading arrangements and their provision prior to the development first being brought into use (and their retention thereafter).
- The prior approval of full detailed engineering drawings for each scheme for the proposed off-site highway mitigation works, i.e. the site access works and works to the adjacent carriageway/footway/lining works as indicated on drawing 2201901 Rev.A., and the undertaking (and adoption of any recommendations it makes) of an

independent Stage 2 Safety Audit prior to the commencement of works. All off-site work shall be undertaken in accordance with an approved delivery programme.

- Prior approval of a Construction Management Plan to include details of any temporary construction access arrangements; wheel-washing facilities; contractor parking and construction material storage; construction delivery details (including routes) measures to pedestrians, road users and contractors' working adjacent to the highway; details of site working hours details of any hoardings; dust minimisation/suppression measures; noise control and monitoring measures; no burning of materials; details of external lighting; details of any ditches of be pied' a method statement and programme of (building) works and contact details for a site manager or office.

Full versions of the conditions are available to view within the Local Highway Authority response, available at **Appendix 1**.

Comments – North Yorkshire Council Housing Team (summarised):

- Broadly supportive of the proposed housing mix, with 'some good outcomes' including the provision of three 1-bedroom properties which are desperately needed and would be in a good location (Great Ayton)
- Would welcome the provision of a single 4 bed affordable unit and/or a three bed affordable bungalow within the final agreed housing mix as such properties are in short supply resulting in poor housing outcomes for larger families and those with disabled family members within the local community.
- A 1/3 (intermediate); 1/3 (affordable rent); 1:3 (social rent) should be required as per Policy HG3.

Officer Commentary:

The final housing mix will be agreed through condition if outline permission is granted. However, the agent has confirmed that he is open to further discussions regarding how the final housing mix will be achieved, including the provision of larger affordable dwellings, as recommended by the Housing Team.

Additional Representations – Members of the Public

Ten additional representations have been submitted from members of the public since the publication of the Planning Committee Agenda (including the Officer Report), all objecting the application. The comments/concerns made within these representations are summarised below:

- The development is unacceptable in terms of the visual impact and effect on the neighbourhood in terms of the noise, disturbance and loss of privacy after completion.
- The development affects the setting of a listed building (15 Station Road) and the character and appearance of the conservation area which will be split into two with the division being caused by a road and car park. These are completely incongruous with the history, setting and heritage of Station Road and its long association with the Quaker movement.
- Mention of the Planning Committee site visit, and the perceived lack of consideration of matters relating to the adjacent 15 Station Road.
- The ground floor window at the rear of the proposed car parking space is the bedroom of the adjacent property. The removal of the boundary wall will result in a serious loss of privacy and the creation of a desire line as car owners cut across the drive taking a short cut to their parked cars. En route it will give them an excellent view of the bedroom. No amount of shrubbery or landscaping will prevent this. There will be a serious adverse effect on the residential amenity of no 15, loss of privacy, noise and light pollution.
- Car exhaust emissions: as cars queue to enter and exit onto Station Rd they will be a few feet away from a bedroom window. No mention of this in any documents.
- The entrance to the development is not a “reserved matter” Why?
- Highway work: the extension of the pavement into the road virtually creating a single lane will result in a bottleneck similar to Bridge Street. On a summer’s day Station Rd can be like the M1. Welcome tourists access the road to Gribdale and Captain Cooks monument while others head for Fletchers ever popular cafe. When was the last time a traffic survey was undertaken on Station Rd?

- This development is not within the settlement boundary, does not meet windfall criteria and is completely detrimental to the heritage of the village and will completely destroy the character and appearance of the conservation area.
- Concerned regarding the 'demise of a tranquil and peaceful environment' and the impact of the development on views from his property.
- The adverse amenity impact both during and after construction, i.e. noise and reduction in privacy.
- The development would lead to a 'massive increase in traffic', impacting the environment.
- The development will exacerbate existing traffic and car parking issues within the village and pose a potential danger to pedestrians and children who use the footway along Station Road and the surrounding area.
- The development may not be line with the community's best interests and could significantly disrupt the tranquillity and harmony of the neighbourhood.
- Strongly urge that the current proposals are not approved, or at the very least, the Council should conduct a more comprehensive evaluation taking into account the concerns raised by residents in the vicinity of the proposed development.
- While understanding the need for new development and housing, has concerns that the increased population and the occupation of the dwellings by 'unfamiliar individuals' will increase the potential for criminal activity/threats and pose safety and security risks to local residents and community.
- The proposed development may also lead to increased traffic and noise pollution, further compromising the safety and peacefulness of the neighbourhood.
- Object to the proposed development on both environmental and safety/security grounds.
- The construction of the proposed development would lead to pollution, the depletion of natural resources, the destruction of natural habitats, and the disturbance of the ecological balance.
- The additional population would put a strain on existing resources.

- Additional houses would increase the risk of accidents in the vicinity of the site and increase the opportunity for criminal activity, putting a further strain on the emergency services.
- It is crucial that the long-term effects on the environment and the community are considered before the Council makes a decision on this application.
- Objecting to the proposals, stating that her reasons for objecting to the application remain the same (as submitted previously) The site just isn't suitable for what has been proposed.
- Has concerns relating to the raised location and close proximity of the site relative to existing properties along Station Road:
- Concern regarding the potential loss of privacy to the rear of his property and its private courtyard space, particularly as a result of plots 3 and 4 (as shown on the indicative layout plan)
- Concern regarding potential structural issues related to building close to existing houses, some of which dates back to the 1800s.
- Question regarding the 'land-edged-red' and his property.
- Concerns about the impact of the construction works on the roots and stability of a tree within his property.
- No reason, other than financial, for the building of the proposed number of dwellings within this part of the village...an 'edge of centre' location would 'make more sense' and would not exacerbate existing traffic and parking problems within this part of the village.
- Approving the development would cause severe problems with regards to construction traffic accessing the site, with the current access being poor.
- The additional housing would put a strain on existing facilities within the village, including making parking more difficult.
- Preserving the structural and aesthetic integrity of a historic heritage area is important. Heritage appears to have been given 'scant attention'...to ignore heritage is a disservice to everyone, including future generations, especially when relatively simple but perhaps inconvenient solutions are available.

- As an alternative, the proposed access onto Station Road could be moved way from the listed building of 15 Station Road to protect the heritage asset.
- The existing stone wall between the proposed site access and 15 Station Road must remain for amenity. The proposed footway and access is too close to the property of 15 Station Road and its position should be reconsidered.
- Concern that the Planning Committee report is not a fair reflection of the points made by some objectors, specifically relating to the location of the proposed development and as a 'housing windfall' development by virtue of Policy HG5 of the Local Plan, clarifying:
 - They believe that the site (marked in red on the accompanying plan) is neither within nor adjacent to the existing built form of the village, (i.e that Station Road represents 'ribbon development') with the site not immediately adjacent to either the "the modern day add-on housing estates off Newton Rd., Guisborough Rd., and Easby Lane (bounded in yellow on the accompanying plan) or an area marked in blue on the accompanying plan bounded by High street, Newton Road and Guisborough Road, both of which are considered to be the main built form of the village.
 - To emphasise the point, reference is made to the previous appeal decision relating to refused and dismissed application 3/02275/OUT with the inspector's decision letter stating that, "*....the main extent of the built form of the village is located to the north of the site. It is separated from the site by mature woodland....*"

The aforementioned accompanying plan submitted by a local resident highlighting what, in their opinion, are the areas of Great Ayton that form the 'main built form' of the village is at **Appendix 2.**

Since the publication of the agenda, there have been correspondence from members of the public about the timing of the Committee meeting, including the perceived short timescale between the Committee meeting (of 14th December) and the receipt of letters sent to interested parties informing them of the Planning Committee meeting.

Correspondence were sent out informing interested parties of the Planning Committee in accordance with the Council's timetable for doing so.

Additional and Amended Conditions

Additional Conditions:

Along with the conditions recommended within Section 12 of the Officer Report, it is also recommended that the following conditions (as worded below) are also imposed, should the Committee resolve to approve outline planning permission:

- The five conditions recommended by the Local Highway Authority within their aforementioned representation.
- The development shall not commence until a Design Code has been submitted to and approved in writing by the Local Planning Authority in respect of the approved self-build/custom build plots. The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code. The subsequent reserved matter application(s) shall accord with the details of the approved Design Code, and be accompanied by a statement which demonstrates compliance with the Code. Reason: To ensure high quality design and coordinated development in relation to the approved self-build / custom build plots in accordance with Policies HG2 and E1 of the Local Plan.
- The existing stone wall sited on the boundary between the application site and the property of The Joinery to the north shall be retained in situ insofar as the visibility and other-related recommendations within the submitted Stage 1 Road Safety Audit can be achieved. Details of any changes to the wall, including alterations to its height, length and positioning, shall not be undertaken without the changes being submitted to and approved in writing by the Local Planning Authority. Reason: To ensure that the impact on the character and appearance of the

Conservation Area and on neighbour amenities are mitigated as much as possible, in accordance with policies S7, E1, E2 and E5 of the Local Plan and the NPPF.

Recommended Omission of Condition 9:

On further consideration, it is considered that the requirements for BNG and future maintenance of habitats and biodiversity enhancements are more appropriately secured through a Section 106 agreement, rather than condition, so it is recommended that the requirements of condition 9 (within Section 12 of the Officer Report) are instead included within the requirements of any future Section 106 agreement.

Amended Recommendation (additional and amended wording underlined):

Officer Commentary:

The Local Highway Authority have provided a positive recommendation (with conditions) since the publication of the Planning Agenda (including the Officer Report), although a formal recommendation remains outstanding from Natural England, although they are in receipt of the Council's (amended) Habitats Regulations Assessment based on the nutrient offsetting proposals referred to in paras. 10.83-10.86 of the Officer Report.

Revised Recommendation:

'Minded to grant' outline planning permission subject to receiving a positive recommendation from Natural England, and subject to the conditions listed in section 12 of the Officer Report (where not recommended to be omitted or altered within this update list) and any additional and amended conditions listed within this update list, as well as any conditions recommended by Natural England.

Outline permission is subject to the completion of a Section S106 agreement with terms as detailed in the Table 2 of the Officer Report and including the requirements to secure biodiversity net gain and the future maintenance of the associated created habitats.

NORTH YORKSHIRE COUNCIL**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION****Application No:****22/01334/OUT****Proposed Development:**

Application for outline planning permission with some matters reserved (Appearance, landscaping layout and scale) for the Construction of 35 Dwellings including Conversion of Existing Barn and 4 Self-build Plots together with Associated Highway Works, New Open Space, Play Area and Public Car Parking and Demolition of a Dwelling

Location:

School Farm 17 Station Road Great Ayton North Yorkshire

Applicant:

Mr & Mrs Ward

CH Ref:**Case****Officer:**

Tony Lewis

Area Ref:

2/58/1145

Tel:

0300 131 2 131

County Road No:**E-mail:**

Area2.Thirsk@northyorks.gov.uk

To:North Yorkshire Council
[Hambleton]**Date:**

7 December 2023

FAO:

Ian Nesbit

Copies to:**Note to the Planning Officer:**

Access to the site is proposed through the site occupied by 17 Station Road which will need to be demolished to provide access to the development. Access to the site is proposed by a new priority T junction onto Station Road. In order to improve visibility at the access some localised carriageway narrowing and footpath widening is required. The original proposals were subject to a Road Safety Audit and identified certain recommendations to improve the issues identified. These recommendations have been accepted by the Developers Transport Consultant who have incorporated the recommendations within their proposals. The application is also supported by a Transport Statement which has assessed the impact of the development and found that the development will not adversely affect the local highway network.

Consequently the Local Highway Authority recommends that the following Conditions are attached to any permission granted:

MHC-01 Detailed Plans of Road and Footway Layout

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.

OFFICIAL

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation
sheet:

Application No:

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The development must only be carried out in compliance with the approved engineering drawings.

Reason for Condition

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.

MHC-02 Construction of Adoptable Roads and Footways

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 for Condition

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.

MHC-09 Details of Access, Turning and Parking

There must be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- vehicular, cycle, and pedestrian accesses;
- vehicular and cycle parking;
- vehicular turning arrangements including measures to enable vehicles to enter and leave the site in a forward gear, and;
- loading and unloading arrangements.

No part of the development must be brought into use until the vehicle access, parking, manoeuvring and turning areas 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 for Condition

To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

MHC-07 Delivery of off-site highway Works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation
sheet:

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- Improvement works to the site access and adjacent carriageway/footway/lining works as indicated on drawing 2201901 Rev A

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason for Condition

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

MHC-15A Construction Management Plan

No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works;
2. wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;
4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
6. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
7. protection of carriageway and footway users at all times during demolition and construction;
8. protection of contractors working adjacent to the highway;
9. details of site working hours;

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CONSIDERATIONS and RECOMMENDATION**



Continuation
sheet:

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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. measures to control and monitor construction noise;
13. an undertaking that there must be no burning of materials on site at any time during construction;
14. details of external lighting equipment;
15. details of ditches to be piped during the construction phases if any;
16. a detailed method statement and programme for the building works; and
17. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition

In the interest of public safety and amenity

<p>Signed:</p> <p style="text-align: center;"><i>Tony Lewis</i></p> <p><i>for Corporate Director of Environment</i></p>	<p>Issued by:</p> <p style="text-align: center;"><i>Thirsk Highways Office Thirsk Industrial Estate York Road Thirsk North Yorkshire YO7 3BX</i></p> <p>e-mail: Area2.Thirsk@northyorks.gov.uk</p>
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GREAT AYTON SCHOOL FARM: PROPOSED DEVELOPMENT Ref 22/01334/OUT

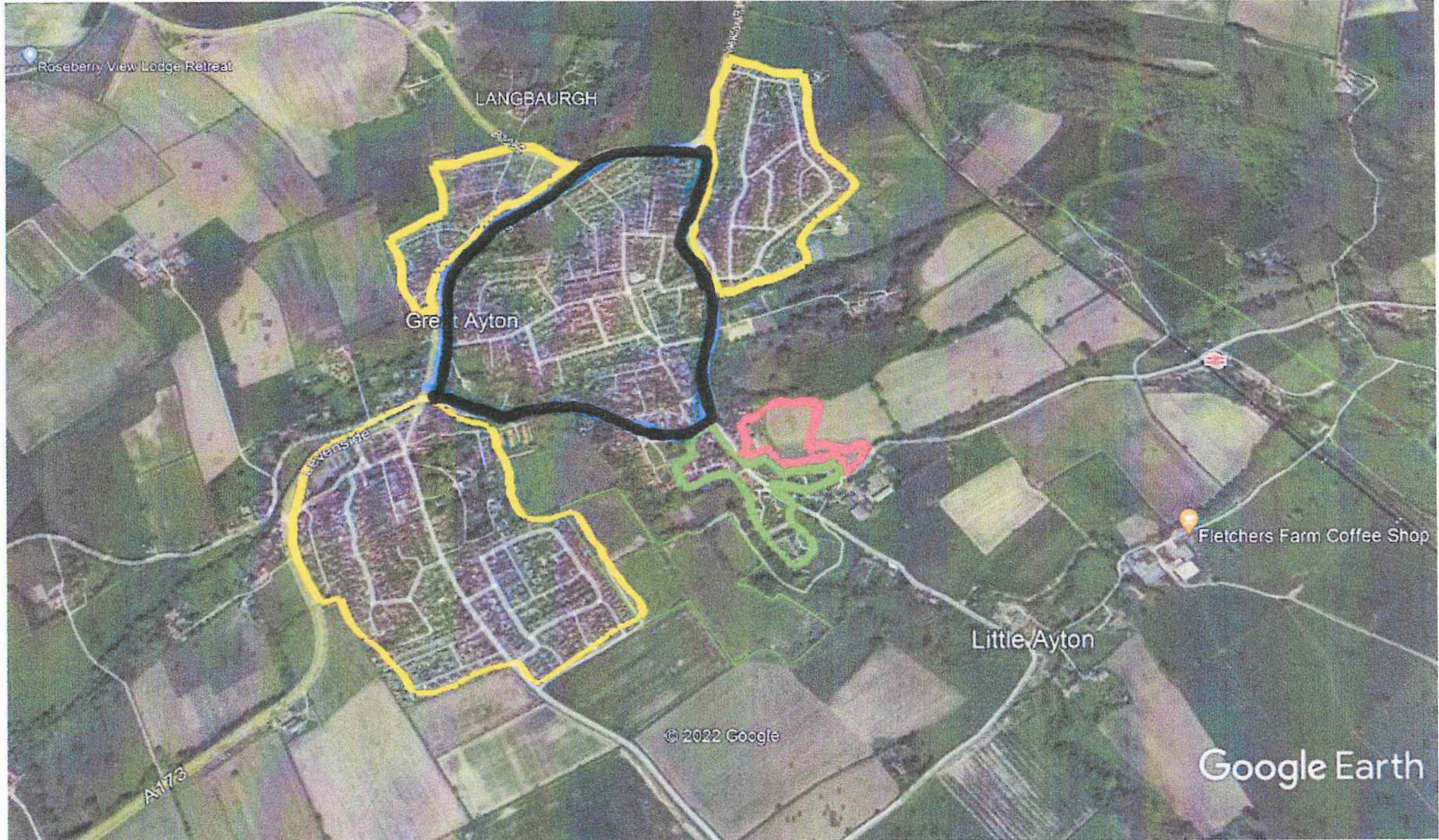


FIG. 101 **BLACK AREA** : Undoubtedly the main built form (m.b.f.) of the village
YELLOW AREA : Modern day development that could be argued as m.b.f.
GREEN AREA : Subsidiary part of village that has had little or no greenfield development in the last 45 years **RED AREA** : Proposed development.

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