

Rachael Balmer
Ryedale District Council,
Ryedale House, Malton,
North Yorkshire YO17 7HH

9th July 2021

Dear Rachael,

LAND SOUTH OF SWINEHEAD LANE, KIRKBYMOORSIDE – DEVELOPMENT OF RESIDENTIAL DWELLINGS AND ASSOCIATED INFRASTRUCTURE – APPLICATION REF. 19/00772/MOUT

We write on behalf of our client W&W Estates to formerly submitted revised application documents in respect of the above application. This letter identifies where changes are proposed to the application and provides specific details where necessary. The amendments to the application have been made following a review of consultation responses to the application and correspondence with the Council.

DESCRIPTION OF DEVELOPMENT

We can confirm that matters such as layout, scale and access will no longer be ‘reserved’ as part of the application. Accordingly, the amended description of development is as follows: -

“Outline planning application for 43 residential dwellings and associated infrastructure with all matters reserved other than layout, scale and access.”

The amendment to the description of development should be considered in light of the changes that have been made to the Planning Layout since the original submission of the development. These are detailed below.

REVISED PLANNING LAYOUT

An amended Planning Layout is submitted alongside this letter (Ref. Proposed Site Layout, Section & Local Plan – 1614/3L) dated June 2021. The enclosed Planning Layout should be read in conjunction with the revised access drawing (Ref. Site Access Drawing). The access to the site was revised following detailed discussions with North Yorkshire County Council’s highway engineers.

For ease we set out below the changes that have been made to the scheme since the original submission of the planning application: -

- Access from Swinehead lane repositioned to suit highways consultants’ drawing.
- Access road realigned adjacent to plots 16-22.
- Amenity area increased in size and footpath provided to access sports field.
- Plots 2-5 reorientated with parking relocated and driveway provided.
- Garage for plot 6 relocated and including parking space.
- Plots 16/17 moved northwards, including car spaces and garage.
- Plots 14/15 moved northwards, including parking space and garages.
- Plots 18/22 moved east and north, including parking and garages.
- Plots 27-29 moved eastwards to suit new hammer head location and increase separation distance to other houses, all plots moved slightly northwards to increase rear garden sizes.
- Plot 28 garage/parking repositioned and plots 29/30 garage moved eastwards away from western boundary.
- Proposed drainage route to Duna Way omitted.
- Plots 30,31,32,33,34,35,36,37 all moved eastwards to increase rear garden size and separation distances to existing houses.
- Plot 42 omitted including parking space.

- Plot 41/40 parking repositioned from front of garden to the side of plot 41.
- Plots 43-45 omitted. Plots 42/43 to be split level houses, with parking to the original houses deleted.
- Access roadway adjacent to plots 42/43 (new) realigned westwards.
- Traffic calming measures added.
- Original plot 1 bungalow omitted including parking spaces.
- Hedges and landscaping added adjacent to access road including fencing and gates
- Ecology notation added (further details provided below).
- Surface water drainage notes added (further details provided below).
- Separation dimensions added to existing houses (further details provided below).

The amendments listed above have been made to reduce the impact of the development on the residential amenity of existing properties and to soften views onto the development's eastern boundary.

More specific details in respect of the positive impact that the changes have made are outlined below:

- An elevation/section drawing showing views onto the eastern boundary of the site is included on the Planning Layout drawing. It identifies the following: -
 - How the proposed ground/floor levels of the homes will reflect the site's topography. This ensures that proposed properties located to the rear of properties on Swineherd Lane will sit lower than existing ones.
 - The section confirms that the heights of the properties will be a maximum of 2-storeys and will be sympathetic to views across from the east (again by through reflecting the site's existing topography).
 - Properties "side on" and "back on" to the eastern boundary. The result is a "feathering" of the edge of the development by the creation of increased gaps between buildings (where properties side on) and an increase in the distance between the boundary and the properties (where properties back on). Together this reduces the visual impact of the development in terms of scale and layout.
 - The existing boundary landscaping (hedgerows and trees) are maintained and will be enhanced (through gapping up of hedgerows) to further soften the views onto the proposals.
- With regards to relationships between existing and proposed properties, the amended plan identifies as follows: -
 - Properties located to the rear of existing properties on Swineherd Lane will be a substantial 33.5m from them. Which is 12.5m above standard separation distances. This distance takes account of the fall in the topography and ensures there will be no adverse impact on residential amenity. As can be seen on the submitted section.
 - The separation distances along the western boundary are as follows: -
 - Proposed Plot 29 - Relationship is "Side to Side" and the separation distance to the garage is 5.5m. Which is above standard separation distances. The existing garage will also block all views between the properties.
 - Proposed Plot 30 - Relationship is "Side to Back" and the separation distance is 17.5m. Which is substantially above standard separation distances.

- Proposed Plot 31 - Relationship is “Side to Back” and the separation distance is 21m. Which is substantially above standard separation distances.
- Proposed Plot 34 – Relationship can be considered “Side to Back” or “Back to Back” and the separation distance is 21m. Which meets standard separation distances.
- Proposed Plot 36 – Relationship can be considered “Side to Back” or “Back to Back” and the separation distance is 21m. Which meets standard separation distances.
- The finished ground/floor levels of the proposed properties will again mirror the topography of the site to ensure that the impact of the development is mitigated.
- With regards to “Scale” the heights of the proposed homes (by reference to metres or storey height) can be controlled via condition. As can the provision of details of finished ground and floor levels. The application currently proposed 2-storey height dwellings and a height can be taken from W&W Estates previously approved schemes/house types in the District.

W&W Estates have made significant amendments to proposals in order to respond positively to the consultation comments received to the planning application. The positive changes that have been made will ensure that the scheme does not have an adverse impact on the amenity of existing properties; will not have an adverse impact on the landscape character of the area in respect of views onto the site; and that the site can be accessed safely.

Finally, with regards to views onto the eastern boundary, views onto the site from the east currently include built-form on account of the existence of residential properties. Notwithstanding this, W&W Estates are willing to work with the Council at the detailed Reserved Matters state in order to ensure that the proposed landscaping on the boundary of the site is as sympathetic as possible.

OTHER MATTERS

As alluded to above, the amended Planning Layout outlines further elements of the scheme that have been amended to respond to other matters. Most notably Affordable Housing, Ecology, Drainage and Archaeology matters.

With regards to Affordable Housing, the Planning Layout identifies that 15 of the proposed homes will be made available for Affordable Housing. Which equates to 34.8% of the total number of homes. A contribution equating to 0.2% will therefore be provided in order to ensure that the 35% affordable housing policy requirement is delivered at the site.

In respect of Ecology, the Planning Layout identifies that Bat Roosting Habitat will be provided within the site through the incorporation of integral bat bricks into the dwellings and tree boxes located in suitable areas of the site as dictated by the Council's Ecologist. Bird Best Boxes and Bird Boxes will also be provided. The location and specification of the boxes and nest can be conditioned to any approval of the planning application. The development will also “gap-up” any hedgerows with native species to increase bird nesting and foraging value for bats, and the existing ditch will be reprofiled to encourage aquatic vegetation. Each of these mitigation measures can be conditioned to any approval of the planning application.

With regards to drainage matters, the Planning Layout outlines that surface water will either be discharged to the existing sewer at Duna Way or to the IDB's drainage ditch located to the south-east of the site. Connections will be dependent on agreements with 3rd parties. Full details would be provided by condition as is usual with outline planning applications.

Also enclosed with this letter is a report providing details of an Archaeological Evaluation by Trial Trenching carried out by MAP Archaeological Practice Ltd. The Trial Trenching was undertaken

following discussions with North Yorkshire County Council's Archaeologist. The Archaeological Evaluation was successful in confirming the presence of archaeological features which largely correlate to the most pronounced anomalies identified in the results of the Geophysical Survey. Fragmented linear anomalies in the Geophysical Data were found to have been caused by natural changes in the underlying geology. The evaluation identified two archaeological ditches, likely connected to field boundaries or enclosure ditches which pre-date the Medieval strip fields. Pottery dating to the 2nd and 3rd centuries AD was recovered from the features along with a small assemblage of animal bone. The evaluation has allowed the nature, potential date, and quality of survival of archaeological features and material to be assessed. This will allow a reasoned decision to be made by the Principal Archaeologist regarding the archaeological potential of the site, and the nature and extent of any required mitigation. However, it is considered that the findings of the archaeological evaluation would not preclude the development of the site and any further requirements can be conditioned to any future planning approval.

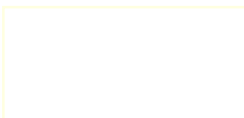
Finally, when agreeing the proposed Site Access details with North Yorkshire County Council the applicant was also requested to deliver off-site highways improvements as part of the application. Enclosed with this submission is a Proposed Footway Improvements Plan (Ref. 11359/001) in association with upgrading the existing footway along Swineherd Lane to 1.5m in width between the site entrance and Old Road. The works also include two pedestrian crossing points. The works will improve pedestrian accessibility for both existing residents of the area and future residents of the scheme and should therefore be considered an incredibly positive element of the development proposals.

CONCLUSION

The applicant has responded very positively to each of the issues and matters raised by the Council and consultees since the submission of the planning application. This letter has provided a detailed explanation to justify this opinion and any further required details can be conditioned to the approval of the planning application where necessary.

We trust that this meets the Council's requirements in order that this application can be re-consulted on immediately. Should you wish to discuss any of the above, please do not hesitate to contact me on paul.butler@pbplanning.co.uk

Yours sincerely,



PAUL BUTLER
Director