

Appendix A

Planning Committee meeting dated Monday 16th September 2019

Information received from the developer, Mr Dan Warrington of Thornton Le Dale Homes, in respect of Planning Application 19/00772/MOUT | Residential development of up to 45no. dwellings with formation of access off Swineherd Lane (site area 1.3ha) - approval sought for access | Land Off Swineherd Lane Swineherd Lane Kirkbymoorside North Yorkshire detailed in Appendix A.

Cllr Holroyd introduced Dan Warrington, Thornton le Dale Homes

By way of introduction Cllr Holroyd explained that the Town Council and its Planning Committee are acting as facilitator, and as consultee with Ryedale District Council Planning Authority. The Town Council are unable make any decisions in respect of planning applications but thought it would be beneficial to facilitate the meeting with Mr Warrington who has kindly agreed to come and provide additional information.

Mr Warrington has had a number of items of correspondence from members of the community, including members who are here this evening. Councillors have also had the opportunity to see these submissions. There are a number of varying and no doubt important issues that Mr Warrington will be asked to deal with but just to focus on to begin with Cllr Holroyd proposed to start by asking Mr Warrington to:

- i) describe what the application is at this stage;
- ii) deal with the issue of the number of houses; and
- iii) deal with drainage and potential flooding issues.

Cllr Holroyd acknowledged that it's probably not something that Mr Warrington can answer but people have raised concern about other sites in Kirkbymoorside that already have permission for development.

These concerns are not exclusive to anything else but will give some focus and then members of the public will be invited to ask supplementary questions.

Information provided by Dan Warrington

- i) Background with regards to the outline application we (Thornton le Dale Homes) recently submitted; the 45 houses has come from a sketch that was produced some three years ago that we presented to the planners (Ryedale District Council). It wasn't meant to be the exact number, just representative of the kind of number that we might get on the scheme. We were never told to work to a particular figure from our pre-application meeting with the council (Ryedale District Council) but we gave the council lots of information on the entrance, highways, flood risk, ecology and various other bits we need for the site to be considered appropriate for the development. The council (Ryedale District Council), along with all the other sites in Ryedale, looked at the sites that were more likely to come through the planning process which is how the Swineherd Lane site was chosen as a preferred allocated site. From getting information from the council (Ryedale District Council) that the site had been

identified as being preferred for development we then submitted our outline application and now we're looking at the nitty gritty, where we're looking at the exact access of the road, the levels of the road compared to neighbouring properties, from an aesthetic point of view and a privacy point of view, and also the general layout of the scheme. The exact number of houses hasn't been determined as yet.

- ii) In respect of the other 2 sites in Kirkbymoorside that have planning permission but aren't being built on, it would be my guess that it will be down to viability of those sites. I believe developers of the Wainds Field site want to put on 22% affordable housing, so they are already saying that they can't deliver 35% affordable housing and that's what I feel strongly about delivering. On the last three sites that's exactly what we've done. I've just developed 2 sites in Thornton le Dale. The last being 26 houses, 9 of which are affordable houses and prior to that 3 miles up the road in Nawton Beadlam the site consists of 21 houses, 7 of which are affordable houses. It's very important to Thornton le Dale Homes at the 35% affordable housing is delivered. Primarily the numbers of houses on the Swineherd Lane site will enable us to provide 35% affordable housing. If the number of houses is cut down to 35 houses then I'm not confident that we would be able to deliver the requisite percentage of affordable housing. That's why we are in discussion with RDC to see what they want there.

In terms of space, acreage and number of houses, the Swineherd Lane scheme is very similar to the Nawton scheme in terms of the house sizes and we think it's probably what Kirkbymoorside would want and need and the properties will sell. If we built fewer, bigger houses then they might not sell and we don't want to be in the same position as the developers of the site on Wainds Field. I believe that was the problem with the Wainds Field site as the houses were perhaps too big for the needs of what people want in Kirkbymoorside.

- iii) We knew before we dug our test holes that we were going to be in clay and that drainage was going to be an issue so there was no surprise that there would be concern about drainage.

Basically the scheme is exactly what we have done at Thornton le Dale where there are 26 houses, albeit the houses are bigger but the surface area of the site is not dissimilar, and in there we've had to put in a 100m pipe at 1.8m diameter so all the water from the rooves, the drives and the road goes into a storage facility and at the other end there is a small outlet so the flow is restricted. Essentially if it rains for a few weeks the pipe fills up to the top and it then gets throttled down to 3.5 litres per second run off and that caters for a 1 in a 100 year storm with 35% exceedance for global warming.

On all new build sites where you don't have free draining ground you build a huge storage area. It can be argued that once it has been done there will be less run off from that field than there is currently.

CLlr Holroyd thanked Mr Warrington for the information provided and invited members of the public to raise questions:

- 1) Does your company own the site?

No. We have an Option Agreement on the site, which means we have a legal document with the land owners and that is subject to gaining full planning permission then we buy the land. In other words, legally we have the decision to develop the site subject to gaining full planning permission.

- 2) What will be the height of the buildings?

Standard 2 storey with no rooms in the attic space. We don't build rooms in rooves, in attic spaces. Generally the houses would be 5m to eaves, 30 degree pitches, total height of 7.5m.

- 3) So the proposal is to put 2 storey houses onto a site that is surrounded by smaller houses?

Yes. Kirkbymoorside has had very little affordable housing built in the town and in order for the site to be viable and for the delivery of affordable housing which is much needed in Kirkbymoorside then we have to build something appropriate.

- 4) There are several inaccuracies in the planning application which states (for example) that the proposal "will be commensurate with houses in the vicinity" and there is "potential for 2 and a half storey properties".

The development will only have 2 storey houses.

- 5) The plans are not clear as to the strategy for management of excess water. You have explained that the water will filter through a smaller pipe that it is understood will be directed to Kirkby Mills. Any suggestion of even more water coming into that area is a great concern. Are you aware of the flooding issues and have you consulted with anybody in the area?

Yes. Yorkshire Water are the consultee.

- 6) Will Yorkshire Water consult with the residents?

I don't expect Yorkshire Water will consult with residents as part of their response. Drainage, as part of the planning process, will be conditioned. If we didn't put in sufficient storage capacity and adequate provision is not made for drainage then permission will not be granted. Every site is different and developers must follow the same principal of addressing the issue of preventing over flow of excess water.

- 7) Do you have plans to preserve the currently protected hedgerow to the east of the site as that is requested as part of the Ryedale Plan?

Yes, we are definitely going to preserve the hedgerow as a wildlife corridor.

- 8) What would happen to the hedgerow in Phase 2?

Phase 2 is currently not allocated in this planning application. As part of the current planning application, on the allocated side we can leave a 3m gap. When it came to design and layout of Phase 2, if it ever came about, then further consideration of the hedgerow would be given at that time.

- 9) Is the draining system you propose to use the same as the system on the Thornton le Dale site?

Similar in that it is a storage capacity area.

- 10) Have you had any problems with that system?

The site is not yet finished. The only problem we had with flooding at the Thornton le Dale site was whilst we were building and before the drains were finished. The main water pipe burst approx. 50yds down the road and Thornton reservoir emptied by 80%

- 11) Concern was expressed about the volume of water that comes down from the hills and the absence of a permeable surface to absorb that flow, once the site is developed, would put considerable pressure on the drainage system at Kirby Mills. Will information be published detailing the drainage system providing assurances that the system will be able to cope with the surface water from higher up.

Yes. As part of the planning application drainage will be dealt with.

- 12) How are you going to address the issue of the so-called ransom strip and access through the estate?

I do not need to, nor want to reply to that question.

Cllr Coughlan wished to make it absolutely clear that the planning considerations are channelled through Ryedale District Council as the Planning Authority. Many of the questions posed are not up to the developer. A developer will put forward a proposal for a commercially viable entity that hopefully fits in and benefits the community. The criteria they work to are determined by the planning rules and much of these concerns should be directed to Ryedale District Council as the Planning Authority. This is an information sharing exercise.

- 13) Cllr Dowie raised two concerns in respect of the Public Right of Way (PRoW). The first being the inaccuracy of the planning application by omission of the footpath on the site plan. The second concern being that development of the site would have a big impact on the people who use the site for recreation and this is a material planning consideration.

It is definitely our intention to keep the footpath open and additionally to try and have an established pedestrian access from the sports field through the site.

- 14) District Cllr Riby explained that he had received information from Planning Officers with regards to the legal obligation upon the Planning Authority, Ryedale District Council, to provide additional housing. He acknowledged that the Doctors Surgery have expressed a need for more affordable housing in Kirkbymoorside. Additionally, in respect of the sites that have been granted planning permission but are either not started or abandoned, the response from Planning Officers is that they can only make a judgement on the merits of the planning application but they cannot enforce the developer to proceed with the build once approval has been granted.

- 15) Cllr Holroyd explained that there is concern about the other sites not being developed and that there is a need for assurance from the developer of the intention to see the development to completion.

The approach that Thornton le Dale Homes takes is polar opposite to the National House Builders, I source the land and build out the schemes myself and we are recognised for what we do in terms of quality build.

I appreciate your concerns but the planning process must bring benefits as well and the benefits are that I will be building much needed affordable houses for Kirkbymoorside and with that we will be paying £85 per square metre in Community Infrastructure Level, being roughly £300,000, which will go into the community for extensions to doctors surgeries and schools etc. I would hope that through the planning process we can provide evidence to back up what we're saying about the water attenuation because the development is needed. The field should drain exactly as it does now with the amount of storage we plan to put in.

The date that this application will be considered by the Planning Committee has not yet been determined. Members of the public will be kept informed of any developments.

Cllr Holroyd thanked Mr Warrington and members of the public for coming to the meeting.