



JohnsonMowat
Planning & Development Consultants

KCS DEVELOPMENT LIMITED

**“TARA FIELDS”,
LAND OFF RACECOURSE ROAD,
EAST AYTON**

**OUTLINE PLANNING APPLICATION FOR THE RESIDENTIAL DEVELOPMENT
OF UP TO 96 DWELLINGS (ACCESS, LAYOUT AND LANDSCAPING FOR
CONSIDERATION ONLY). ALL OTHER MATTERS ARE RESERVED.**

PLANNING CASE REPORT



KCS Development LTD
“Tara Fields”, Land off Racecourse Road, East Ayton

Planning Case Report

Date: 24 November 2017

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The assessments and interpretation have been made in line with legislation and guidelines in force at the time of writing, representing best practice at that time.

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1.0 INTRODUCTION AND LOCATION

1.1 This Planning Case Report has been produced in support of an Outline planning application for the residential development of up to 96 dwellings at “Tara Fields”, on land off Racecourse Road, East Ayton. This report is produced on behalf of KCS Development Limited.

1.2 The application description is as follows:

“Outline planning application for the residential development of up to 96 dwellings (access, layout and landscaping for consideration only). All other matters are reserved”.

1.3 The site currently is located within the settlement of East Ayton and forms allocated housing site HA31 on the adopted proposals map for the Scarborough Local Plan (July 2017).

1.4 The Planning Case Report should be read alongside the technical documents which comprise the planning submission. These reports are as follows:

- Statement of Community Involvement – Johnson Mowat;
- Landscape Plan – Arlene McIntosh;
- Site Layout – Ellis Healey Architecture;
- Site Survey – Latitude Surveys;
- Design and Access Statement – Ellis Healey Architecture;
- Flood Risk and Drainage Assessment – JPG;
- Geoenvironmental Desk Study Report – JPG;
- Phase I Desk Study Review and Phase II Ground Investigation Report – GeoDyne;
- Archaeology Report - Prospect Archaeology;
- Transport Assessment and Site Access Arrangement Plan – Bryan G Hall;
- Framework Travel Plan – Bryan G Hall;
- Bat Report and Preliminary Ecological Appraisal– Smeeden Foreman; and
- Arboricultural Survey and Tree Plan – Smeeden Foreman.

1.5 The Planning Case Report identifies the site location and provides a description of the site forming this Outline application, the relevant planning history, sets out the relevant planning policy and concludes with the planning case in support of the proposed residential scheme.



2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The planning application site is situated on the north eastern edge of the village of East Ayton and is an “L” shaped area of land. The western half constitutes open land and the eastern half an agricultural field. The site extends to circa 3.35 hectares.
- 2.2 The site lies within the settlement development limits as adopted in the Scarborough Local Plan – 2011/32 (adopted July 2017). The site is identified as housing allocation HA31 land to the north and east of The Nurseries, East Ayton.
- 2.3 The site bounds the settlement and housing of East Ayton on its western boundary; agricultural fields on its northern and eastern boundary, and Racecourse Road with a mix of commercial, agricultural and residential uses on its southern boundary.
- 2.4 The combined settlement of East and West Ayton benefit from a Doctors Surgery, Public Houses, convenience store, Village Hall, Church and Primary School and Tea Room amongst other facilities.
- 2.5 The site is within 3.9 miles of the town of Scarborough (to the north east of the site) which offers a range of services and facilities, as well as employment opportunities. Services and facilities on offer in the town centre range from a wide selection of shops, including clothes, gifts, homeware and confectionary as well as larger supermarkets and convenience stores. A large selection of bars, cafes and restaurants can be found within the town centre as well as speciality stores.
- 2.6 East Ayton is served by a bus route within walking distance of the application site. The bus service no.128 serves the village around every hour to Scarborough and Pickering.
- 2.7 The application site is classified as Flood Zone 1 (low risk) as per the Environment Agencies Flood Risk Maps.
- 2.8 The closest railway station to the site is Seamer. The Train Station at Seamer is served by trains (but not exclusive) to Scarborough, Liverpool, Sheffield, Leeds, Manchester, York and Knaresborough.



3.0 PLANNING HISTORY

3.1 There have been no previously submitted planning applications on this site.

Pre-Application

- 3.2 A formal request for a pre-application meeting and written advice was sought from the Council on the 29th March 2017. The scheme put forward suggested an indicative dwelling capacity of 102 dwellings. The proposal also included the land to the east of the allocation (up to the divisible hedge) for a balancing pond, landscaping and public open space.
- 3.3 A meeting was held at the Council's Offices on the 27th April 2017, the attendees from the applicants were the applicant, Johnson Mowat (Planning Consultant) and the Highways Consultant. The Council were represented by the Council's Senior Planning Officer and an Officer from Forward Plans.
- 3.4 Key points from the meeting were that the early delivery of the allocation was welcomed. The consent informed that any outline application would include the matters of access, layout and landscape. The Council agreed that the proposed higher density than that set out in the Local Plan would be acceptable, 40 dwellings related to earlier highways expectations.
- 3.5 Further discussions with the Planning Officer and North Yorkshire County Council Highways, on technical matters including drainage and highways culminated in a further meeting on the 18th September 2017. A reduced scheme for 96 dwellings was discussed which reflected previous concerns raised.
- 3.6 Further email discussions were held with the Council's Housing Strategy and Development Officer on the 27th September regarding the size and mix of proposed affordable houses on site. The Council's Housing Strategy and Development Officer confirmed that the following approach in relation to affordable housing will be acceptable. The approach was for 29 affordable dwellings split between a tenure mix of 6 starter homes, 16 affordable rent and 7 shared ownership. Following a 6 month marketing period following the construction sign off should the Starter Homes remain unsold the split will be of 20 affordable rent and 9 shared ownership. The mix of the 29 units was agreed as 18 no 2 bed homes and 11 no bed homes (mixed between the starter homes, affordable rent and shared ownership).



4.0 THE PROPOSAL

4.1 As referred to in the introduction, the proposal is an outline application for residential development, seeking approval for access, layout and landscaping with all other matter to be dealt with at reserved matters.

4.2 The development comprises of:-

- The erection of up to 96 dwellings;
- Provision of family homes;
- Provision of onsite affordable dwellings in line with Local Policy;
- Retention of existing hedgerows where possible, with proposed landscaping on the sites eastern boundary;
- Access from Racecourse Road; and
- Public Open Space of 0.36 Hectares which includes a children's play area (0.06 hectares).



5.0 RELEVANT PLANNING POLICY

Introduction

- 5.1 At the time of writing, the adopted Development Plan comprises of the Scarborough Borough Local Plan (2011/32) (adopted July 2017).

The Development Plan: Weighting

- 5.2 Section 38(6) of the Town and Country Planning and Compulsory Purchase Act 2004 places a statutory duty on local planning authorities to determine planning applications in accordance with the development plan unless material planning considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

National Planning Policy Framework (March 2012)

- 5.3 The National Planning Policy Framework (the Framework) forms the relevant policy guidance at the national level for the determination of all planning applications, this is especially so where the local development plan is either silent, absent or out of date. The Framework is a material consideration which must be taken into account in all planning decisions.
- 5.4 The Ministerial Foreword to the Framework states that “development that is sustainable should go ahead without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.” Paragraphs 2 and 11 of the Framework confirm that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Core planning principles

- 5.5 Paragraph 17 of the Framework sets out 12 core planning principles to underpin plan-making and decision-taking. Importantly, in relation to this application, core planning principles 3, 4 and 11 state that planning should:
- *“proactively drive and support sustainable economic development to deliver the homes... that the country needs. Every effort should be made objectively to identify and then meet the housing... needs of an area, and respond positively to wider opportunities for growth...;*
 - *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants, of the land and buildings;...*



- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”*

5.6 Paragraphs 18 to 22 of the Framework set out the Government’s commitment to building a strong and competitive economy. Planning should not act as an impediment to sustainable growth and significant weight is to be placed on the need to support economic growth. In this context lack of housing is identified as a potential barrier to investment.

Promoting sustainable transport

5.7 In relation to sustainable transport, it is noted that paragraph 32 requires that all developments that generate significant amounts of movement are supported by a Transport Assessment or Statement. In determining applications, the paragraph notes that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

5.8 Paragraph 34 also notes that developments that generate significant movements should be located where the “need to travel will be minimised and the use of sustainable transport modes can be maximised.” Paragraph 36 requires the submission of a Travel Plan for all developments which generate significant amount of movement.

Delivering a wide choice of high quality homes

5.9 Delivering a wide choice of high quality homes is the sixth theme under the heading of delivering sustainable development. Paragraphs 47 to 55 provide the policy guidance for plan making and decision taking under the overall aim of significantly boosting the housing supply.

5.10 Paragraph 49 states that housing applications are to be considered in the context of the presumption in favour of sustainable development. A wide choice of high quality homes are to be delivered and opportunities for home ownership are to be widened by planning for a good mix of housing based on the needs of different groups and local demands.

5.11 Paragraph 52 states that the supply of new homes can sometimes best be achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns.

Requiring good design

5.12 Good design is given great importance in the Framework as a key part of sustainable development. Paragraph 58 includes a series of six criteria to be considered as part of the decision taking process. These state that developments will:

- *“function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*



- *Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *Are visually attractive as a result of good architecture and appropriate landscaping.”*

5.13 It is noted that paragraph 60 states that policies and decisions “should not attempt to impose architectural styles or particular tastes and they should not stifle innovation.”

5.14 Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals and to evolve designs that take account of community views. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

Promoting healthy communities

5.15 The Government’s approach envisages that the planning system has an important role to play in facilitating social interaction and creating healthy and inclusive communities. All sections of the community should be involved in planning decisions and should facilitate neighbourhood planning. The aim is to create places which promote i) meetings and interaction between members of the community, ii) safe and accessible environments containing clear and legible pedestrian routes and high quality public spaces which encourage the active and continual use of public areas.

Meeting the challenges of climate change and flooding

5.16 The key role of planning in helping to secure radical reductions in greenhouse gas emissions is fully recognised (paragraph 93). This is also considered to be central to all three of the dimensions of sustainable development.

5.17 When determining planning applications account is to be taken of landform, layout, building orientation, massing and landscaping in order to help minimise energy consumption.

The Adopted Development Plan

5.18 The Scarborough Borough Local Plan (2011/2032) was adopted in July 2017. The site currently is located within the settlement of East Ayton and forms allocated housing site HA31 on the adopted proposals map for the Scarborough Local Plan.



- 5.19 Policy SD 1 sets out the presumption in favour of sustainable development and that development in accordance with the development plan will be permitted without delay unless material considerations indicate otherwise.
- 5.20 East Ayton forms a 'Service Village' in the Local Plan. Settlement Hierarchy Statement 4 relates to Service Villages and sets out that development should safeguard and reinforce the distinctive character of the settlement and not detract from their landscape setting. As the site forms an allocated housing site the Council have considered that the development is acceptable upon its setting, proposed buffer planting will reinforce the character of the settlement.
- 5.21 Policy DEC 1 relates to the principals of good design and is essentially a checklist policy. It is considered that the proposed layout, landscaping and access does not conflict with this policy.
- 5.22 Policy DEC 2 relates to electric vehicle charging points which can no doubt be conditioned or dealt with at reserved matters.
- 5.23 Policy DEC 3 relates to the efficient use of land and buildings including density. It is considered that the density proposed is suitable for the local area.
- 5.24 Policy DEC 4 relates to the protection of amenity. It is considered that the layout does not conflict with the requirements of this policy.
- 5.25 The Housing Allocation statement for site HA 31 states:-

"The site is a square field and narrow strip to the east of Meadow Dene and north of The Nurseries. The site has been allocated for residential development with an indicative yield of 40 dwellings.

Issues and Requirements:

1. *Full access to the site will not be appropriate from Meadow Dene. A limited number of dwellings can be developed off Meadow Dene to 'finish' the cul-de-sac but this should remain unconnected to the remainder of development on the site;*
 2. *The main access to the wider development should be taken from The Nurseries or directly from the A170;*
 3. *Substantial landscaping will be required along either of these access road options to protect the character and appearance of this entrance into East Ayton;*
 4. *It will have to be demonstrated, potentially through the submission of appropriate evidence, that development of the site will not adversely affect the groundwater resource."*
- 5.26 In relation to this we would comment as follows:-



- A higher number of dwellings are proposed than that stated in the Local Plan. Pre-application discussions with the Council's Officer set out that the 40 dwelling yield was due to initial highways assumptions. The principal of a higher number would be acceptable subject to technical issues.
- A separate access is off Racecourse Road (A170) is proposed and through dialogue with NYCC Highways has been found acceptable.
- Landscaping is proposed on the eastern boundary.
- Evidence in relation to the protected groundwater source is set out in the flood risk/drainage statement.

- 5.27 Policy HC1 relates to supporting housing development. The policy therefore supports this proposal.
- 5.28 Policy HC2 relates to housing delivery identifying sites for residential development which includes the application site HA31 'Land to north and east of The Nurseries, East Ayton'.
- 5.29 Policy HC3 relates to affordable housing for the district. The application site falls within the Whitby, Northern and Western Parishes which requires a 30% affordable housing requirement on sites of 11 or more dwellings. The site after consultation with officers, proposes up to 29 affordable houses.
- 5.30 Policy HC10 relates to Health Care and Education Facilities in line with this policy developer contributions to health and education will be made.
- 5.31 Policy ENV3 relates to the environmental risk and effects of climate change. The scheme at this outline stage does not conflict with this policy.
- 5.32 Policy ENV4 relates to Groundwater Protection. The site within the Environment Agency's Map is located within Source Protection Zone 1. The Hydrological Risk Assessment is currently assessing the opportunity for roof water soakaways and control of highway water by other means.
- 5.33 Policy ENV 5 relates to the Natural Environment and the enhancement of species, habitats or other assets in a net gain in biodiversity, the proposal at this outline stage does not conflict with this policy.
- 5.34 Policy ENV7 relates to landscape protection and sensitivity. The proposal includes the provision of boundary treatment, creating a buffer between the site and the wider land. The impact of the site was considered in the site's allocation.



5.35 Policy INF3 relates to sustainable transport and travel plans. The proposal does not conflict with the requirements of this policy and is supported by a Transport Assessment.

5.36 Policy INF5 relates to the requirements for infrastructure through financial contributions.

Interim Affordable Housing SPD

5.37 An interim affordable policy is in place which is in line with the Local Plan and sets out a 30% requirement in East Ayton on sites greater than 11 dwellings. The proposal provides 29 affordable homes with the tenure split agreement within the

Greenspace SPD – (November 2014)

5.38 This document sets out the calculation for Green Space on new housing development over 11 dwellings. Public Open Space of 0.36 Hectares which includes a children's play area (0.06 hectares). The POS proposed exceeds that of the Local requirements and no off-site payment will be necessary.

Education Payments SPD – (April 2012)

5.39 This document sets out the threshold of 15 dwellings or more requires a primary school contribution. Secondary contributions are required for proposals over 150 dwellings. A contribution will be required from this site for primary school provision where evidenced by the County Council.



6.0 THE PLANNING CASE

The Principal of Development and the Presumption in Favour of Sustainable Development

- 6.1 The site is an allocated housing site HA 31 and therefore the principal of residential development of the site should be acceptable.
- 6.2 At the heart of the Framework is the 'presumption in favour of sustainable development', seen as the 'golden thread' running through plan-making and decision-taking (§14). For decision-taking this means approving development where it accords with the development plan.
- 6.3 As such it is concluded that there is no principal policy objection to the application proposals. Consideration against the provisions of the Framework and relevant development plan policy is set out below.

Building a Strong and Competitive Economy

- 6.4 The Framework is clear that the government is committed to delivering sustainable economic growth and charges the planning system with the duty to "operate to encourage and not act as an impediment to sustainable growth" (§19). Housing development is a key component of economic growth and this is fully recognised in Government policy and Ministerial guidance.
- 6.5 Through the development of the site a significant amount of investment will be made to the area in terms of the construction value of the project and associated spend during the construction period. The construction industry and house building in particular make an important contribution to both the local and national economy in terms of job creation. The following key benefits arising from the proposal:
- New Homes Bonus in the region of £760,000 (approximately £8,000 per dwelling).
 - Resident annual expenditure at circa £2.35 million.
 - Supporting approximately 36 FTE construction jobs per annum during the construction period.
 - Planning Gain Package. The overall planning gain for this particular site is yet to be established, however a significant amount of money will be provided to build up to 30% affordable homes and improve local services and facilities within East Ayton. Overall the planning gain associated with this site will be significant.
 - Construction Value in the region of £9,500,000.
 - Council tax revenue circa £137,750 per annum
 - First Occupation Expenditure £475,000.



6.6 The provision of quality housing in East Ayton assists in achieving sustainable economic growth in the Borough and is fully supported by the requirements and advice of the Framework; indeed §19 is clear that “significant weight” should be placed on the need to support economic growth through the planning system.

6.7 At §29, the Framework requires;

“...The transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how to travel.”

6.8 At §30, it directs local planning authorities to:

“...support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport”

Delivering a Wide Choice of Market and Affordable Homes

6.9 There is a wealth of evidence from figures at the highest levels of the Government, the Bank of England and internationally with the European Commission and International Monetary Fund which demonstrate that there is a consistent and pressing need to build more homes to meet the significant level of unmet need, particularly for homes that are affordable.

6.10 In February 2017, DCLG issued the Housing White Paper ‘Fixing our Broken Housing Market’ which set out how the Government intends to boost housing supply:

“The housing market in this country is broken, and the cause is very simple: for too long, we haven’t built enough homes... If we fail to build more homes, it will get ever harder for ordinary working people to afford a roof over their head”

6.11 To achieve this the Government has stated its ambition to deliver significantly more housing within this parliament, with the former Housing and Planning Minister Brandon Lewis stating in February 2016:

“Housebuilding is at the heart of the government’s long-term economic plan with more than £20 billion committed over the next 5 years to help meet its ambition to deliver 1 million new homes.”

6.12 The development proposed include the delivery of a mix of homes between 2 and 5 bedrooms. The details of this mix will be determined as part of any subsequent detailed reserved matters application should the principle of development and the access, layout and landscape proposals of this outline application be consented. The proposals make provision for the delivery of affordable homes in line with Local Policy requirements.

Requiring Good Design



- 6.13 The Design and Access Statement (DAS) and Site Layout demonstrates how the site will deliver a high quality sustainable development. The proposals are based on sound design principles that have taken into account the key constraints and opportunities presented by the site.
- 6.14 The DAS and Site Layout demonstrates a scheme that is sympathetic in scale and character with its surroundings, delivering dwellings of a suitable size and through utilising materials that reflect the local vernacular. It is demonstrated through the DAS that the site would be highly accessible to people on foot, cycle and to those with disabilities. The illustrative masterplan seeks to create an attractive place that responds to the attributes of the site and the local context.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 6.15 At §95 of the Framework seeks “new development in locations and ways which reduce greenhouse gas emissions”, and urges LPAs to adopt national standards in order to drive forward the delivery of sustainable development. The application proposal meets these criteria as it will be delivered to the relevant Building Regulations or equivalent standard applicable at the time of permission.
- 6.16 The application site is located within Flood Zone 1 and is therefore at the lowest risk of flooding.
- 6.17 A drainage statement is provided with the application.

Conserving and Enhancing the Natural Environment

- 6.18 The site is not subject to any national landscape quality designations and does not contain any rare or unusual landscape features.
- 6.19 Development will result in a permanent change to the character of the site, however the proposals will aim to retain notable existing landscape features where evident such as boundary hedgerows, mature hedgerow trees and mature standalone trees. The proposal will seek to integrate the development with the wider countryside and green infrastructure, proposing an additional hedgerow on the eastern boundary.
- 6.20 Landscape effects are to be expected. However the quality of development proposals and the use of policy guidance to inform these proposals will better integrate the development into the local landscape. The effects of development on site will be substantial, however with the use of effective mitigation strategies, the development proposals will be better assimilated to the local context. Beyond the immediate boundaries of the site, the landscape effects will be reduced due to physical containment of the development through mitigation. A detailed landscape plan supports the application.



- 6.21 At the detailed design stage, landscaping proposals will help to ensure the development is an attractive place to live, has a sense of place, and is well-integrated into the local context, as well as improving green infrastructure and increasing biodiversity.
- 6.22 The application is supported by an archaeological appraisal which informs no heritage assets will be lost as a result of this proposal.
- 6.23 The application is supported by an ecological appraisal which informs the site has been assessed for its ecological interest. Given the land has been in productive agricultural use, the ecological value is limited to those hedgerows in and adjacent to the site. Where possible, these hedgerows are to be retained. Additional boundary planting will help to mitigate any loss.

Geoenvironmental Desk Study

- 6.24 A desk based Geoenvironmental Study supports the application. It sets out that the site is undeveloped agricultural land which has not been developed except for 4no small assumed sheds in the 1950's, with quarries in the wider area. The study has taken account of the site setting including matters of geology, mining, hydrology, flooding, landfill and radon. An environmental risk assessment and preliminary engineering assessment have been undertaken as well as further work required. The report recommends further work to be undertaken in respect of intrusive surveys which formed the basis of the specification for the Phase 2 Ground Investigation.

Ground Investigation

- 6.25 A Phase 1 Desk Study Review and Phase II Ground Investigation Report. The report covers matters including ground conditions, foundation design, ground gas precautions and floor slabs, radon precautions, mining, water, excavations, sulphate classification, CBRs and pavements, soakaways, contamination assessment, remediation proposals, off-site disposal, unforeseen circumstances and other matters its recommendations can be dealt with via condition.

Archaeology

- 6.26 A desk based Heritage Assessment supports the application which considers the archaeological and historical implications of the proposed development. Work has included a map regression, documentary search and site visit.
- 6.27 The reports sets out that there are 13 designated assets and 28 undesignated assets within the wider area, with no known assets within the site. It further sets out that the proposed development will not have a significant effect on any designated assets:-



“due to the presence of scheduled barrows, known cropmarks and areas of later prehistoric and Roman activity in proximity to the site there is a moderate potential for regionally significant remains of the prehistoric through to the Roman period to survive within the site.”

- 6.28 Assessment makes reference to a geophysical survey also undertaken (also attached to the submission), identifying no features of certain archaeological provenance. The assessment makes reference to one point in the survey:-

“one ditch-like anomaly entering the site from the north but terminating after a short distance may have archaeological origins. An evaluation excavation is likely to be required and could be secured through a condition on any planning permission granted. Should this evaluation reveal the presence of significant archaeological activity further archaeological mitigation works will be required.”

- 6.29 No doubt the this can be can be dealt with via condition.

FRA/Drainage Strategy

- 6.30 The application is supported by a Drainage and Flood Risk Statement. The site is located in flood zone 1 and is therefore at low risk of flooding, as well as other sources.

- 6.31 It sets out that as *“the site lies within Source Protection Zone 1 (SPZ1) the disposal of surface water through the use of soakaways/infiltration systems within any SPZ will only be acceptable for uncontaminated surface water arising from building roofs with continuous down pipes without any other inlets (eg, gullies).*

Yorkshire Water have agreed a surface water discharge rate of 3.0 litres/second would be allowed to the combined public sewer in Racecourse Road upon receiving results which prove soakaways are not a viable option.

It is therefore proposed to discharge surface water from the building roofs to soakaway and from driveways and access roads to the public combined sewer at a restricted rate of 3.0 litres/second.

Foul water from the site shall discharge to the Yorkshire Water combined public sewer at the junction of The Nurseries/Racecourse Road.”

Ecology

- 6.32 The application is supported by a Preliminary Ecological Appraisal and a Bat Assessment.
- 6.33 The Preliminary Risk Assessment sets out the site is of low conservation value, with the hedgerows and trees at the site to be of local value to breeding birds and provide shelter and



foraging opportunity for wildlife. It considers the hedgerows H1, H2 and H3 to be classed as a UKBAP priority habitat. It recommends the following measures:-

- *“The retention of the hedgerows and trees at the site where feasible, or replacement planting using native species;*
- *Use of temporary protective demarcation fencing to protect retained areas/features including those immediately adjacent to the site;*
- *Implementation of a lighting scheme during construction and within proposals that minimise illumination of the site boundaries, hedgerows or trees within the site;*
- *Native tree, hedgerow and shrub planting should be undertaken where feasible; and,*
- *Consideration of seeding of areas associated with hedgerows/tree planting with a suitable wildflower mix.”*

6.34 The following has been recommended in relation to protected and notable species at the site:-

- *“Precautionary working methods for badger and hedgehog during construction;*
- *Bat transect surveys are carried out at the site;*
- *Bat and bird boxes are installed at the site;*
- *Vegetation suitable for breeding birds is only removed outside of the breeding bird season (March to August inclusive) or subsequent to a checking survey by an appropriately qualified ecologist;*
- *Prior to construction, vegetation within the construction zone is cut to a height of ~150mm and directionally cleared towards the boundaries of the site, during the reptile active season (March to October inclusive);*
- *Incorporation into the landscape planting plan of species known to be of value to wildlife; and,*
- *Small gaps (0.15m) are left under sections of any new fencing/walls within the development to allow passage of hedgehog across the site, and that precautionary working methods are adopted to avoid harm to hedgehogs”.*

6.35 It is considered that these recommendations can be dealt with via condition.

6.36 The Bat Assessment which sets out that following surveys from July to October 2017 there is a low to moderate amount of common bat species use of the site and surrounding habitats for foraging and commuting activities. Further details of which hedgerows are more commonly used by bats are included in the report.

6.37 In terms of mitigation the report recommends the following measures:-



- *“Use of directional lighting during works and post development, to avoid illumination the existing and proposed trees, shrubs and hedgerows associated with the boundaries of the site, and the retained sections of hedgerow H2;*
- *The proposed hedgerow along the eastern boundary of the site is planted prior to the removal of the required sections of hedgerows H1 and H2;*
- *Proposed planting of hedgerows, trees and shrubs at the site along the eastern boundary of the site is composed of native species and those known to be of value to wildlife; and,*
- *Installation of commercially available bat boxes within retained trees at the site, and bat brick/tubes/slates in new buildings, at locations deemed suitable by a Suitably Qualified Ecologist (SQE).”*

Highways

- 6.38 A Transport Assessment supports the application. It highways works proposed include a priority junction form Racecourse Road; a traffic island to the south west of the proposed site access; relocation of the existing gateway feature; rumble strips in the vicinity of the junction; and widening of the footway between the access and the Nurseries.
- 6.39 The Transport Assessment has been produced in line with ongoing discussions have been held with North Yorkshire County Councils Highways Department. Proposals include a Stage 1 Road Safety Audit this has included traffic counts (including peak hours and 2022 projected traffic movements), junction capacity analysis (which has also included projected 2022 traffic movements) and accident data.
- 6.40 The report concludes that *“the site is accessible by sustainable modes of transport and that the level of traffic generated by the proposed development will not have a material impact on the local highway network.”*
- 6.41 A Framework Travel Plan also supports the application. In relation to accessibility it includes matters including pedestrian accessibility, cycle accessibility, public transport. It relation to accessibility it concludes that:-

“Overall the development is considered to be in a good location to promote trips by sustainable modes of transport. The proposed residential development is well located for residents to access local facilities by walking and cycling, and nearby towns are accessible by public transport.

“The sustainable travel methods available to the development have been identified. The development is situated on the edge of the village and pedestrian infrastructure already in place



provides scope for those living within the development to walk to local facilities. The widening of the existing footway between the site access and The Nurseries on the northern side of Racecourse Road will also assist pedestrian movements between the site and the centre of East Ayton. Cycling, albeit not formally provided for, is considered to be a realistic mode of travel for new residents.”

- 6.42 The overall aim of the FTP set out to influence the travel choice of residents and visitors to a positive modal shift and reduce the impact development has on the local network. The objectives to achieve this are set out within section 3.0 of the document. A Travel Plan Coordinator will be implement the Travel Plan to monitor its progress. The document includes its targets at 4.0, travel plan measures at 5.0, travel plan co-ordinator at 6.0 and monitoring and reviewing at 7.0.

Arboriculture

- 6.43 An Arboricultural Report supports the application. It recommends works to the existing trees and hedges, as well as tree protection methods.
- 6.44 Overall, it is considered that the proposed development within the application site would not give rise to any unacceptable landscape and visual harm.
- 6.45 The application is also supported by a detailed Landscaping Plan.

Summary

- 6.46 From this, it is clear that the application proposal complies with relevant provisions of the Framework. Accordingly, it can reasonably be concluded that the proposal is also in compliance with the broad Core Planning Principles of the Framework, expressed at §17.
- 6.47 The assessment against the relevant policies does not indicate any circumstances under which permission should be restricted which might result in the disapplication of the Presumption in Favour of Sustainable Development.



7.0 PLANNING BALANCE AND CONCLUSIONS

7.1 Section 38(6) of the 2004 Act provides for a determination other than in accordance with a development plan if material considerations indicate it is appropriate.

7.2 The relevant material considerations in this case are:

- The site is suitable for residential development in terms of location and characteristics and is not of high environmental value as illustrated by its allocation;
- The landscape features of the site will be retained and reinforced to retain a suitable landscape edge and setting; and,
- The provision of affordable housing, without subsidy, is a significant planning benefit.

7.3 This outline planning application on an allocated housing site is made in the context of the Government's requirement to significantly boost housing land supply, the presumption in favour of sustainable development and the Development Plan.

7.4 The supporting material, assessments and reports demonstrate that there are no technical or environmental constraints that would preclude the development of this site, subject to planning conditions and/or obligations. KCS Development Limited is willing to enter into constructive dialogue with the Council to agree a list of conditions and S106 Heads of Terms that are necessary to make the development acceptable in planning terms.

7.5 As with any greenfield site, the development will introduce changes to the area and some urbanising effects. Care has been taken to ensure that the perceived impact on East Ayton is minimised and acceptable, these have also been considered by the Council in allocating the site for housing.

Benefits

7.6 The key benefits arising in respect of this application are set out below.

Market Housing

7.7 It will help to deliver much needed new, quality, family homes, in a community where people wish to live, in a suitable and sustainable location close to existing public transport, shops, employment opportunities and community services.

Affordable Housing

7.8 It will provide a wide range of homes a policy-compliant provision of affordable housing (30%, 29 dwellings) in an area where there is an existing unmet need unlikely to be delivered through alternative means.



Jobs and the Economy

- New Homes Bonus in the region of £760,000 (approximately £8,000 per dwelling).
- Resident annual expenditure at circa £430,000.
- Supporting approximately 36 annual FTE construction jobs and apprenticeships locally.
- Planning Gain Package. The overall planning gain for this particular site is yet to be established, however a significant amount of money will be provided to build up to 30% affordable homes and improve local services and facilities within East Ayton. Overall the planning gain associated with this site will be significant.
- Construction Value in the region of £9.5 million.
- Council tax revenue circa £137,750 per annum
- First Occupation Expenditure £475,000.

Protecting and Enhancing Vitality and Viability

- 7.9 The new residents will increase demand for and use local services and businesses and increased spending will help to protect, maintain and enhance the services available and accessible within the surrounding area.

Environmental Benefits

- 7.10 Biodiversity of the site will be protected, diversified and improved through new hedgerow and tree planting. The development will also provide new garden spaces and formal/informal green spaces. Overall, the proposal will achieve a net gain in biodiversity.

Harm

- 7.11 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme.
- 7.12 As with any greenfield site, the development will introduce changes to the area and some urbanising effects and it will involve the loss of some agricultural land; however, this is to be expected and the scheme can be delivered without unacceptable wider landscape and visual impacts.
- 7.13 Despite these changes, significant and demonstrable harm will not arise through development overall as proposed.

Planning Balance and Conclusions

- 7.14 The Framework policies on the delivery of sustainable housing development carry significant weight, and specific Local Plan policies do not indicate that development should be restricted. Delivery of the proposed development would support the housing and economic development



objectives of the Local Plan and meet the aims and objectives of sustainable development, securing net gains across all three strands of sustainable development (economic, social and environmental).

- 7.15 This development, as proposed, clearly constitutes 'sustainable development', is viable and deliverable. There are significant material considerations that weigh heavily in its favour. The scheme is in accordance with the Local Plan and the application should be approved without delay.