

North York Moors National Park Authority

Scarborough Borough Council Parish: Egton	App Num. NYM/2014/0497/FL
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Proposal: Construction of sustainable drainage system (SUDS) to facilitate drainage at the approved affordable housing site

Location: Land off High Street, Egton

Applicant: Home Group Developments Ltd, c/o Agent

Agent: Acanthus WSM Architects, fao: Marc Pearson, 56 Woodhall Lane, Calverley, Leeds, LS28 5NY

Date for Decision: 03 October 2014

Grid Ref: NZ 480791 506609

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME00 The development shall be commenced within one month and completed within three months or prior to the completion of the affordable housing on the adjacent site.
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
3. LNDS01 Landscaping Scheme Required
4. LNDS02A Landscaping Scheme to be Implemented - Large Scale Development/ General Development
5. DRGE00 No occupation shall take place until a Management Plan is submitted in writing and approved by the Local Planning Authority indicating the long-term management responsibilities, flood exceedance route maintenance and landscaping for the Sustainable Drainage System (SUD). Once agreed, the Management Plan shall be implemented in accordance with the agreed details.

Reasons for Conditions

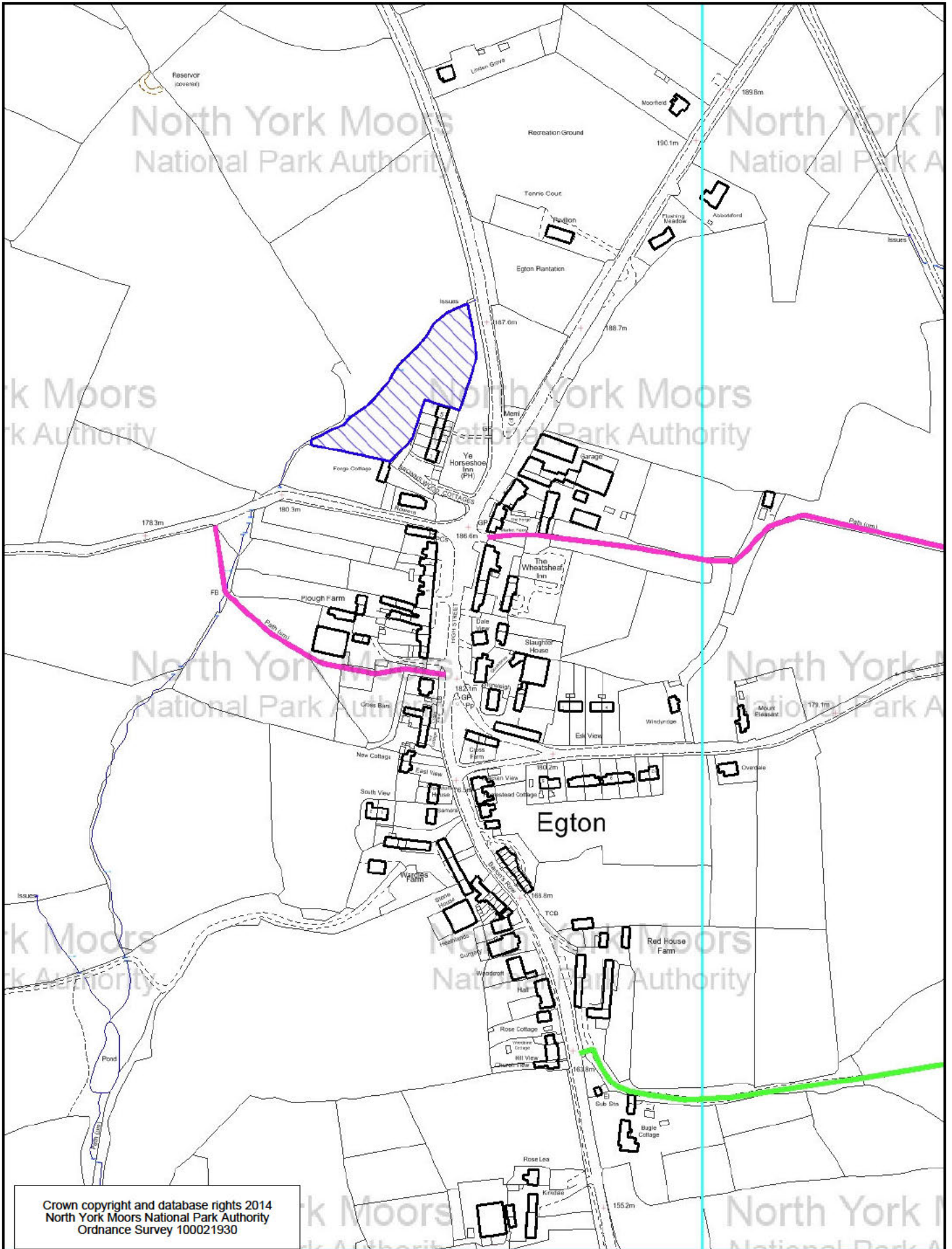
1. To ensure that the impacts of the existing approved development are adequately addressed within an appropriate time frame and to allow the development to be retained in an environmentally acceptable condition and to accord with NYM Core Policy A.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 & 4. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
5. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.



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Application No: NYM/2014/0497/FL

Consultations**Parish -**

Highways – No highway recommendation.

Environmental Health Officer -

Environment Agency – No objection.

Yorkshire Water – No comments, as the surface water drainage system for the residential development is discharging into the local watercourse.

Forestry Commission –

NYCC Flood Risk Management – With regard to the SuDS system I would suggest that the Planning Authority need to be satisfied that the system is of sufficient capacity so that, for example, the ponds aren't overflowing on a regular basis. Also the Planning Authority want a drawing showing exceedance routes for flood water when the drainage system is exceeded, fails due to lack of maintenance or otherwise, this should avoid property flooding.

The SuDS system will need regular maintenance, maintenance requirements should be provided by the developer and it needs to be established who will carry this maintenance out. Should the maintenance be carried out by someone other than the landowner, rights of access must be established to allow this maintenance to be carried out. By way of explanation, if the Highway Authority adopts the "Highway Balance Pond", the Highway Authority will need a right of access/easement to get to it.

Advertisement Expiry Date – 12 September 2014.

Others –

Miss E Marsh, Dale View, Egton – I object to the above application on the grounds that the applicant has failed to properly assess the impact on the significance and setting of adjacent heritage assets. The heritage statement is poorly written, incomplete and contradictory.

As an example, Browns Wood Cottages are described as not reflecting the local vernacular under "The Site and its Surrounding" but as integrating with the local vernacular under "Assessment". Due to the positioning of these cottages on one of the main approaches into the village they have a strong negative impact on the setting of the Egton Conservation Area and this further development will increase the harm.

The Heritage Statement incorrectly limits the setting of the application to Browns Wood Cottages, when the whole of the Conservation Area should have been taken into account. The application, which involves digging, fails to make any mention of the possibility of underground archaeology.

The applicant should be made to produce an adequate impact assessment prior to any permission being granted.

Application No: NYM/2014/0497/FL

Background

This application is for construction of sustainable drainage system (SUDS) to facilitate drainage at the approved affordable housing site at Land off High Street, Egton.

Construction of 10 no. affordable dwellings with associated access, parking and landscaping immediately north of Browns Wood Cottages and on the edge of the settlement has now commenced and the applicant is well on the way to discharging the conditions of the approval.

The site has a two metre cross fall east to west and one metre from north to south. The eastern boundary is defined by a one metre high stone wall, adjacent to a green open space which extends up to the highway bound by a timber knee rail.

The existing Housing Development – Browns Wood Cottages - was built circa 15 years ago and maintained by Home Housing (the applicant). The site falls outside the Egton Conservation Area however an assessment is required by the Local Planning Authority to determine whether the proposed development affects the character and appearance of the Conservation Area.

This application seeks to create two dished areas (ponds) at the rear of the existing properties to the west of the site on land recently acquired by the applicant for this purpose but it was not included in the red line of the original application.

A fresh application is submitted to deal with the surface water from the new dwellings and to satisfy Condition 20 of planning permission NYM/2013/0297/FL which requires the applicant to demonstrate how an appropriate outfall for surface water to the drainage ditch at the rear of the site can be achieved.

The two dished areas will act as retention ponds to retain surface water from the adopted highway and private residential hard surfaces from the proposed residential development during periods of high rainfall intensity.

The ponds will allow for excess surface water to be retained and released into the ditch along the west site boundary at a controlled discharge rate via a 'leaky dam' headwall outfall attenuation system.

The system provides a sustainable drainage system otherwise known as SUDs. The re-profiled ground will be landscaped with a combination of natural grasses, shrubs and trees to provide a natural ecological area.

The private ponds will be maintained by Home Group Developments Ltd landscape contractor, no maintenance access easements will be required.

The SUDS application is slight remodelling of the existing ground profile. The proposals will not be visible from the existing adopted highways and will not impact on the conservation area. The proposals include for natural grasses, shrubs and trees which will considerably improve both the visual amenity of the land and vistas from adjacent residential properties and provide additional opportunities for local natural fauna and flora to become established and enhance the area than its previous use as a paddock.

A Heritage Statement supports the application which considers the site and surroundings, an assessment of the Conservation Area, the extent of the proposal and level of importance where the Conservation Area is concerned.

Application No: NYM/2014/0497/FL

Background (Continued)

Details of the drainage proposal have been sent to Yorkshire Water and the Environment Agency who raise no objection and also North Yorkshire County Council flooding engineers for their comments and it is hoped that they will be able to provide further comments in time to report at the Meeting.

Main Issues**Management Plan**

Section 2.2 of the NYM Management Plan (Historic Environment) states that the principles of sustainable development are underpinned in the policies contained in the NYM Local Development Framework (LDF).

Conservation Areas within the National Park are designated because of their special architectural and historic interest. The relationship between buildings and spaces, traditional street layouts and the design detailing and materials of traditional buildings all contribute to the distinctive character of each Conservation Area. The National Park Authority has a duty to preserve and enhance their character and appearance through careful control of new development.

Policy Context

Core Policy A (CPA) of the NYM Local Development Framework seeks to further the National Park purposes and duties by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities.

Core Policy A seeks to provide development in locations that is of a scale which will support the character and function of individual settlements; with priority given to conserving and enhancing the landscape, settlement, building features and historic assets of the landscape character areas.

Development Policy 2 of the NYM Local Development (Flood Risk) states that development will only be permitted where it will not lead to an increase in flood risk elsewhere. In the case of flood defences, they form part of a Catchment Flood Management Plan or other approved programme of flood management.

Development Policy 4 of the NYM Local Development Framework seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

Site, Surroundings and Assessment of Egton Conservation Area

The application site is 0.095 hectares in area and is located immediately adjacent to the development site permitted for 10 affordable dwellings and will be an addition to the development site.

When taken as a whole the two ponds are located behind the existing Browns Wood Cottages in the south west corner of the development site on the edge of the Egton Conservation Area.

The Egton Conservation Area is a designated heritage asset and paragraph 128 of the National Planning Policy Framework (NPPF) requires the applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has included in the application a Heritage Statement to accompany the detail for the SUDS system.

Application No: NYM/2014/0497/FL

Site, Surroundings and Assessment of Egton Conservation Area (Continued)

In turn the Local Planning Authority is required to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).

The impact of the proposed development on the significance of the heritage asset and in particular whether the development will affect the setting of the adjacent Egton Conservation Area.

Officers conclude they are satisfied in their assessment and the outcome of the assessment is that the significance of the heritage asset in this instance (the Egton Conservation Area) will not be harmed and the setting of the Conservation Area will be sustained and preserved.

The Authority's Archaeologist has been consulted on the application and reports no known archaeological implications.

Summary

The drainage strategy submitted by the applicant is presented to satisfy condition 20 of the original planning permission and in turn to prevent potential surface water flooding of the site and help to minimise the effect of overland flooding on existing housing stock in the locality by a controlled method of attenuating existing overland flows and disperse surplus surface water back into the existing ditch on the west side of the site.

This is not an unusual approach to facilitating development as Sustainable Drainage Systems or SUDS ponds as they are otherwise known are used throughout the UK. National, regional and local planning policies encourage the adoption of sustainable drainage systems and high standards of water efficiency. The construction of new developments should enable the incorporation of greater water efficiency.

A key underlying theme of the Authority's approach to development is to ensure that new development is sustainable.

The prime function of SUDS, as with conventional drainage, is to provide effective surface water drainage, ensuring the greatest degree of flood risk protection over the long term both within and downstream of the development and prevent pollution. However, SUDS approaches can bring wider benefits too by bringing biodiversity value and providing environmental protection by treating the quality as well as the quantity of surface water run-off.

SUDS schemes can vary in size and composition and can be used in most developments where the flow of water is significant. Techniques which can be incorporated in developing SUDS vary from the relatively straightforward such as soakaways and reducing areas of impervious surfaces on a site to using swales, basins, infiltration trenches, filter drains and drainage ponds to collect and store water.

It is now common practice that all new developments across the country are designed to a high standard of sustainability. This helps to withstand the effects of climate change; minimise heat-island effects (particularly in high density city centre locations); minimise water consumption; maximise water re-cycling and reduce flood risk.

Application No: NYM/2014/0497/FL

Summary (Continued)

Bearing all this in mind it is likely that a sustainable drainage system would be highly beneficial to this particular application site and that it can be installed without having an adverse impact on the special qualities of the adjacent Egton Conservation Area, Wider National Park, the occupants of new and existing dwellings and that flood risk elsewhere is not increased through run-off. Consequently, the proposal is recommended for approval.

The development is deemed to be in accordance with Core Policy A and Development Policies 2 and 4 of the NYM Local Development Framework and the overarching NYM Management Plan.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.